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TRANSLATED BY

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PREFACE

In preparing this translation of the *De Officiis* I have consulted the best literature on the subject, but I am under special obligation to the editions of Müller (1882), Heine (1885), Stickney (1885), Dettweiler (1890), and Holden (1891). The metrical versions are taken from L'Estrange.

My best thanks are due to my old pupil, Mr. Hugh Gordon, for much valuable help.

INTRODUCTION

THE *De Officiis* is a practical code of morals, a compendium of the duties of everyday life, intended for the instruction, and accommodated to the special circumstances, of young Romans of the governing class who were destined for a public career. As a summary of the duties of a gentleman addressed by a father to his son, it may be compared with Lord Chesterfield's Letters, but it is written in a very different tone. Born in 65 B.C., Marcus served with some distinction under the successive republican commanders, and attained the dignity of consul. He inherited neither the ambition nor the energy of Cicero, and is best known as his father's son. At the age of twenty he was sent to the "university" of Athens to complete his education under Cratippus, the head of the Peripatetic School. The irregularity of his life, which we may infer from the scant expressions of commendation contained in the work itself, and of which we have positive evidence in Cicero's Letters, was a cause of anxiety to his father, and may have suggested the dedication if not the composition of this treatise on duty.

INTRODUCTION

The *De Officiis* is the last of the long series of philosophical works which Cicero gave to the world during the closing years of his life, when condemned to political inaction. After the final overthrow of the senatorial party, when the constitution of the republic was supplanted by the will of the "Democratic King" and little scope was left for individual effort, Cicero had voluntarily retired from the political arena, and lived for the most part in the country. With the assassination of Caesar in March 44 B.C. the hopes of his party rose for a moment only to be dashed to the ground by the intrigues of Antony. Cicero driven from Rome "by force and godless arms" was compelled to seek safety in flight, and wandered aimlessly for a great part of the year from one of his country seats to another. He was distracted. Death had robbed him of Tullia, the joy of his life, and he was now an exile from his beloved city. Once more he turns for consolation to active literary work, and in the composition of this hortatory treatise completes his patriotic design of transplanting philosophy from Athens to Rome and popularising its study among his countrymen. The events of the stormy year 44 are reflected in the acrimonious allusions to contemporary politics and the many imperfections of the work in thought and language.

Cicero had too much of the practical Roman

instinct to regard philosophy as an end in itself. To him it was a preparation for the active life of the orator and statesman, an occupation in his hours of leisure, a consolation in misfortune. Like many cultured Romans he was an Eclectic and sought for wisdom wherever it was to be found. In his scientific method he professed himself an adherent of the New Academy which denied the possibility of attaining absolute certainty in questions of speculative philosophy. His "scepticism," however, far from being destructive, took a positive direction and sought to discover the greatest probability where certainty was impossible. He was less an agnostic than a seeker after truth. But his profession of the doctrines of the New Academy did not prevent him from embracing the ethical system of the Stoics to which he was strongly attracted by its practical tendency and its sublime principle of the sovereignty of virtue. Yet at times he rebels against some of their extreme doctrines. For example, the theory that the wise man is happy even when suffering pain and is quite independent of fortune appeared to him so contrary to all experience that here he rather leaned to the view of the Peripatetics who admitted that within certain limits external circumstances were necessary to happiness. In one thing he is consistent, his determined hostility to the egoistic and unsocial doctrines of the Epicureans which could hardly

commend themselves to a genuine Roman who looked on devotion to the state as the first duty of man.

When first presented to the Romans in the second century B.C. Stoicism was stripped of many of its pedantic and impossible dogmas. "There is no happiness except virtue and no unhappiness except vice; virtue is a permanent condition which admits of no increase or decrease; the non-virtuous man is absolutely vicious; all sins are equally heinous"—principles such as these were found to be worthless when tested by the facts of everyday life. Take again the picture of the Stoic sage or saint: "He is a perfect man, absolutely virtuous, happy, self-sufficient and free. He is indifferent to fortune and misfortune, superior to fear and remorse, free from sorrow and excessive joy, and he maintains that immovable tranquillity of soul in which conformity with reason consists." The Stoics, if challenged, could not point to historical examples of their sage, and even Zeno himself was not so presumptuous as to claim the title. If the founder of the school despaired of attaining this lofty ideal, what hope was there for the ordinary man? One by one these purely academic and fantastic principles were abandoned, ignored, or modified, and the Stoic system became less of a science and more of a moral evangel accommodated to the facts of life and the frailties of erring mortals.

The founder of this new Stoicism and its most eminent preacher in Rome was Panaetius of Rhodes, the friend of the younger Scipio and Laelius. If he taught the Romans philosophy he probably learned from them the practical wisdom which led him to mitigate the scientific severity of his school. In his philosophical method he had completely emancipated himself from his predecessors, and he so far departed from their ethical principles that they would hardly have allowed him the name of a Stoic. He maintained that without health, strength and the means of living, virtue was insufficient to make a man happy. While rejecting the doctrine of insensibility to pain, he did not altogether repudiate pleasure. He admitted that in certain circumstances promises are not binding. In a word, he relaxed the rigour of the Stoic system, adapted it to the circumstances of everyday life and abandoning its thorny dialectic, and forbidding technicalities, for the first time presented its doctrines in an elegant and attractive literary form.

It is on a lost treatise of Panaetius, "Concerning Moral Obligation," that the *De Officiis* is based. The work of Panaetius was divided into three books. The first treated of the duties derived from Honour, the second of those derived from Expediency, and the third, which was promised but never appeared, was to have dealt with the conflict

between these two classes of duties. Cicero supplies the missing book, and adds two brief discussions on the conflict between two *honesta* and the conflict between two *utilia*. The dominant principle of the whole work is that Honour or Virtue alone is useful. After explaining in a short introduction his general plan and purpose Cicero treats in his first book of the duties derived from Honour as exhibited in the four cardinal virtues, Wisdom, Justice, Fortitude and Self-Command, and concludes with an estimate of their relative importance. The second book is devoted to the duties arising from Expediency. The introduction contains a vindication of the study of philosophy and of the principles of the New Academy. This is followed by a laboured demonstration of the obvious proposition that man is most useful to man. We obtain the help of men by inspiring love, respect and confidence, and by the exercise of liberality. The conflict between the different kinds of Expediency forms the subject of the last chapter. The third book deals with the conflict between Honour and Expediency. It opens with a famous passage in which Cicero compares his own conduct in retirement and solitude with that of Scipio Africanus. He then proves that it is only apparent and not real Expediency that is opposed to Honour, and lays down as a general rule for the determination of particular cases, that whatever is honourable is

expedient, and that nothing can be expedient that is not honourable. Even the certainty of escaping detection should not prompt us to do wrong. Friendship and the public interest sometimes cause men to swerve from duty. Examples are then given of the conflict between apparent Expediency and Justice, Fortitude and Self-Command. Such is a brief outline of the contents of the treatise on Duty. Under this logical scheme Cicero discusses the multifarious problems that would naturally arise in the daily life of the jurist, the statesman, or the military commander, and illustrates his argument with copious examples contemporary and historical. The duties of an administrator, the obligations of belligerents, the conduct of a law-suit, the laws of oratory, the art of conversation, the choice of a profession, the building of a house —the most diverse questions from the most important to the most trivial affecting the conduct of a Roman gentleman are here proposed and answered.

It would be interesting to know how much of the book is the intellectual property of Cicero and what belongs to Panaetius. Cicero expressly states that he does not slavishly follow Panaetius, but that he merely takes from him such materials as serve his purpose. But it is significant that where he professes complete independence and is thrown upon his own resources he utterly breaks down.

The third book is little but a farrago of casuistic questions compiled from Posidonius and other Stoic writers, and it is disfigured by not a few defects in reasoning, while the two additions to the scheme of Panaetius are slight and perfunctory. We shall therefore not be far wrong if we assign to Panaetius the logical disposition of the first two books with its divisions and subdivisions, and the general course of the argument and even some of the illustrations, and this assumption is borne out by the fact that in certain passages of the *De Natura Deorum* Cicero closely adheres to his Greek original Philodemus. But many of the examples drawn from Roman life and history and the reflections suggested by them are obviously from the hand of Cicero, and some entire sections are so thoroughly Roman in character that they could not have been penned by a Greek writer. Thus we may safely assume that Cicero is the author of the chapter on the choice of a profession (i., 42), of the rules for obtaining glory (ii., 13,14), and of the passage (ii., 15-24) in which liberality, official purity and fair legislation are recommended as the best means of winning the favour of the people.

Since the invention of printing the *De Officiis* has passed through more than 250 editions, and it has been praised in extravagant terms by ancient and modern critics. The elder Pliny says it is a

book to be learned by heart. St. Ambrose based on it the first systematic exposition of Christian ethics. Melancthon described it as the most perfect treatise on morals in existence. Erasmus believed that its author must have been inspired. Frederick the Great, who pronounced it "the best book on morals that has been or can be written," commanded the philosopher Garve to translate it into German "that young people might get some idea of what it really meant". Curiously the *Traité des Devoirs* is still prescribed as a moral catechism to candidates for the *baccalauréat ès lettres*. Mommsen in a few truculent phrases dismisses Cicero's "philosophical library" as a complete failure.

What then is the value of the book that it has at all times been so popular? It may at once be conceded that as a scientific treatise the *De Officiis* has little merit. Composed in unfavourable circumstances by a philosophical dilettante it is superficial, defective in arrangement, and often disfigured by incoherence, obscurity, and repetition. On the other hand it is the serious effort of one of the best of the Romans to instruct and elevate his young countrymen in a time of political chaos and moral decadence. Here they could find what the ancient ceremonial religion of the Romans failed to supply, an exposition of the science of life, a treasury of precepts, replete with the wisdom of generations of thinkers, and enriched with the

illustrations and reflections of a statesman of ripe experience. If they looked in vain for profound speculation or scientific precision they at least found a lofty morality inculcated on every page in the eternal principle of the sovereignty of virtue. To the historian the book is of value as an important contribution to our knowledge of the moral development of the ancient Romans. The chief literary merit of this elegant transcript of Panaetius is that here the great master of Latin prose carried on his work of creating a philosophical language in which the highest Roman civilisation was diffused throughout the Latin-speaking world, and transmitted through the Middle Ages down to modern times to endure even now as a living force in every country where thoughtful men love to turn from the present and draw inspiration from the sources of European culture. The philosophy of Cicero may be but an echo of that of the great Greek thinkers; it has been largely superseded by the religious and ethical writings of modern literature; still it seems rash to brush aside as worthless a work which has left so distinct an impress on the mind of the world. Perhaps there is as much exaggeration in the blame of Mommsen as in the praise of Erasmus.

FIRST BOOK

I.—1. My dear son, now that you have studied for a full year under Cratippus and in a city like Athens, you should be well equipped with the principles and doctrines of moral philosophy. A master of such power cannot fail to enrich your mind with ethical theories, while the cultured city in which you live will offer you many models for imitation. However, I have always found it best in my own case to combine the study of Latin and Greek in oratory as well as in philosophy, and I think it would be well for you to follow my example if you wish to be equally at home in the two languages. Here I flatter myself I have rendered good service to my countrymen, and it is gratifying to find that not only persons ignorant of Greek, but even educated men admit that I have done something towards developing their minds and forming their style. 2. You should therefore continue your studies under the first thinker of the age, and that you will certainly desire to do, so long as you are not dissatisfied with your progress. But in reading the exposition of my theories which differ little

from those of the Peripatetics (for we both claim to be followers of Socrates and Plato), whatever opinion you may form on the subject-matter—and you are free to judge for yourself—I am confident you will improve your Latin style. Still I would not have you think I say this in arrogance. I profess no monopoly in philosophical science, but I fancy I am within my rights in claiming as peculiarly my own a happy, perspicuous, and ornate style—the proper field of the orator, which I have cultivated all my life. 3. I urge you, therefore, my dear son, to read with care not only my orations but also my philosophical works which are now almost as numerous as the others. In the orations there is greater vigour, but the unimpassioned and temperate style of my essays is no less worthy of study.

I do not find that any Greek author has yet succeeded in elaborating at once the forensic and the calm philosophical style, with the possible exception of Demetrius of Phalerum, a keen logician and an orator who, though he lacks force, has the charm that marks the disciple of Theophrastus. What degree of perfection I myself have attained in these two styles let others judge; if I have failed, it is not for want of effort. 4. I indulge the fancy that Plato, had he chosen to practise oratory, would have made an impressive and eloquent pleader, and that if Demosthenes had followed up and published the doctrines he

learned from Plato he would have been distinguished for the elegance and splendour of his diction. I have the same opinion of Aristotle and Isocrates, but each of them took such delight in his own pursuit that he looked coldly on the pursuit of the other.

II.—When I came to choose out of the many things on which I had it in my mind to write to you, the theme of this, my first treatise, I selected what seemed to me best suited to your age and to my position as a father. Among all the elaborate and exhaustive discussions of philosophers on serious and important subjects it appears to me that nothing is more generally useful than the principles of duty they have given to the world. All our affairs, public or private, civil or domestic, our personal conduct, our social transactions, inevitably fall within the province of duty; in the observance of duty lies all that is honourable, and in the neglect of it all that is dishonourable. 5. This is the common ground of all philosophers. Would any one assume the title who had no moral precepts to offer? Yet certain schools utterly distort our conception of duty by their definition of the greatest good and the greatest evil. He who severs the highest good from virtue and measures it by interest and not by honour, if he were true to his principles and did not at times yield to his better nature, could not cultivate friendship, justice or liberality; and no one can be brave who declares pain the greatest

evil, or temperate who maintains pleasure to be the highest good. 6. I have dealt with these propositions in another place although they are so obvious as to require no discussion. Now if these sects were only consistent they would not have a word to say on the subject of duty; indeed a system of moral principles permanent, invariable, and in harmony with nature, can only be established by those who maintain that honour should exclusively or mainly be pursued for its own sake. And so we find that this ethical teaching is peculiar to the Stoics, the Academics, and the Peripatetics, since the doctrines of Aristo, Pyrrho and Erillus have long since been exploded; yet even they would be entitled to treat of this question if they had recognised a difference in the value of things and given us some clue to duty. In the present inquiry, then, I shall mainly follow the Stoics. I shall not simply echo them, but, as my custom is, I shall use them as my sources, and exercise my own discretion in deciding how and what to borrow.

7. As duty is the subject of the whole of this treatise, it seems proper to begin with a definition of the term, a point which Panaetius has curiously omitted. The definition of terms must in fact form the basis of every scientific exposition if the scope of the argument is to be clearly understood.

III.—Every question of duty has two sides: the one relating to the sovereign good, the other to the

practical rules by which we may govern our conduct in every detail. The following are examples of our first class of questions. Are all duties perfect? Is one duty more important than another? and so forth. The rules of conduct are indeed related to the highest good, but the relation is not quite evident, because they bear more directly on the regulation of our daily life: these are the duties I purpose to expound in the present treatise. 8. Duties may also be divided into what are called the ordinary and the perfect. Perfect duty I think we might call the right since the Greeks call it *κατόρθωμα*, while they call ordinary duty *καθῆκον*. Perfect duty they define as that which is right; ordinary duty as that for doing which an adequate reason can be given.

9. According to Panaetius, in forming a resolution we have three things to consider. Is the subject of deliberation honourable or dishonourable? This is a problem which often distracts our minds with contrary opinions. In the second place we cast about and reflect whether the thing will procure comfort and enjoyment, wealth and abundance, position and power, whereby we may profit ourselves and those who are dear to us. This second question turns entirely on expediency. The third is concerned with the conflict between the honourable and that which appears to be expedient. When interest drags us one way and honour calls us back,

the mind is bewildered and distracted with doubt. 10. In this classification two points are omitted, a serious defect in a logical division. We not only ask whether the contemplated act is honourable or dishonourable, but we seek to determine the degrees of honour and expediency. Consequently the triple division of Panaetius must be abandoned in favour of a division into five parts. I must first speak of the honourable under two heads, then similarly of the expedient, and finally of the conflict between them.

IV.—11. Animals of every species are endowed with the instinct of self-preservation which leads them to preserve life and limb, to avoid what seems hurtful, and to seek and provide the necessaries of life, such as food and shelter. The reproductive instinct and the love of offspring are also universal. But there is a wide gulf between man and beast. Swayed by sense alone, the beast lives in the present, heedless of the past, or future. But man endowed with reason perceives the connection of things, marks their causes and effects, traces their analogies, links the future with the past, and, surveying without effort the whole course of life, prepares what is needful for the journey. 12. Nature with the aid of reason likewise binds man to man, unites them by the bond of language and of social life, inspires them with a strong love of offspring, and impels them to multiply the occasions of meeting and consorting with their

fellows. These are the motives that incite a man to procure a comfortable livelihood not only for himself but for his wife and children and all whom he cherishes and is bound to support; and this responsibility rouses his energies and braces him for work. 13. The distinctive faculty of man is his eager desire to investigate the truth. Thus, when free from pressing duties and cares, we are eager to see or hear, or learn something new, and we think our happiness incomplete unless we study the mysteries and the marvels of the universe. From this it is evident that what is true, simple, and pure, is most in harmony with human nature. With the instinct of curiosity is allied the desire of independence; a well-constituted character will bow to no authority but that of a master or a just and legitimate ruler who aims at the public good: hence arises fortitude or indifference to the accidents of fortune. 14. How precious should we deem the gift of reason since man is the only living being that has a sense of order, decorum and moderation in word and deed. No other creature is touched by the beauty, grace and symmetry of visible objects; and the human mind transferring these conceptions from the material to the moral world recognises that this beauty, harmony and order are still more to be maintained in the sphere of purpose and of action; reason shuns all that is unbecoming or unmanly, all that is wanton in thought

or deed. These are the constituent elements of the conception of honour which is the subject of our inquiry: honour even when cast into the shade loses none of its beauty; honour, I say, though praised by no one, is praiseworthy in itself.

V.—15. You have now before you, my dear Marcus, the very form, I may say, the face, of honour; and, as Plato says of Wisdom, could we but see it with our eyes, what a divine passion it would inspire! Honour springs from one of four sources. It consists in sagacity and the perception of the truth, or in the maintenance of human society, respect for the rights of others, and the faithful observance of contracts, or in the greatness and strength of a lofty and invincible spirit, or finally in that order and measure in word and deed which constitute temperance and self-command. The cardinal virtues are indeed inseparably connected, yet each of them is the source of definite classes of duties. Wisdom or prudence, for example, the first in our division, is concerned with the investigation and discovery of the truth; this is its peculiar function. 16. He is justly considered the wisest and the most prudent of men who penetrates furthest into the truth of things and has the keenest and swiftest eye to see and unfold their principles. Truth is therefore the material on which this virtue works, the sphere in which it moves. 17. The function of the other virtues is to provide and maintain all that is necessary

for our daily life, to strengthen the bonds of human society, and to evoke that great and noble spirit which enlarges our resources and secures advantages for ourselves and our kin, but is even more conspicuous by its indifference to these objects. Order, consistency, moderation and similar qualities fall under this category and are not so much speculative as active virtues; for it is by applying measure and law to the affairs of life that we shall best observe honour and decorum.

VI.—18. Of the four parts into which we have divided the conception of honour, the first, consisting in the investigation of the truth, touches human nature most nearly. We are all carried away by the passion for study and learning; here we think it noble to excel and count it an evil and a shame if we stumble or stray, if we are ignorant or credulous. In following this natural and noble instinct there are two errors to be avoided; in the first place we must not mistake the unknown for the known and blindly give it our assent; to escape this error, as all must wish to do, it is necessary to devote time and trouble to the consideration of every question. 19. In the second place it is wrong to waste our energies on dark, thorny, and barren studies. If we avoid these errors and bestow our toil and care on subjects that are honourable and worthy of study, we shall deserve nothing but praise. Thus Sulpicius was once distinguished in

astronomy as our contemporary Sextus Pompeius is in mathematics; many have made their name in logic, more in civil law; but though all these branches of knowledge are concerned with the investigation of the truth, it would be wrong to be diverted from active work by any such pursuit. The worth of virtue lies in action, yet we have many times of rest, permitting us to return to our favourite pursuits: and even without our effort, our beating, restless mind will keep us ever at study. Now every thought and operation of the mind is employed in deciding about things that concern our honour and happiness or in pursuing knowledge and learning. So much for the first source of duty.

VII.—20. Of the three remaining the most extensive in its scope is the principle which knits together human society and cements our common interests. It has two parts—justice, the brightest of the virtues, the touchstone of worth, and the cognate virtue of beneficence which may also be called kindness or liberality.

The first duty that justice enjoins is to do no violence except in self-defence, to create no privilege in public rights, and to keep for our private enjoyment only what is ours. 21. Private property has no place in the order of nature; it originates in ancient occupation, as when people take possession of vacant land, or in the right of conquest, or in a law, a con-

tract, an agreement, an allotment; hence we say the land of Arpinum belongs to the Arpinates, the Tusculan land to the Tusculans; and the delimitation of private estates follows the same principle. Now since by this partition the individual secures as personal property a part of that which at first belonged to all, he ought to rest content with his share: if he covets more, he breaks the laws of human society. 22. But since our life, to quote the noble words of Plato, has not been given to us for ourselves alone (for our country claims a share, our friends another), and since, as the Stoics hold, all the products of the earth are destined for our use and we are born to help one another, we should here take nature for our guide and contribute to the public good by the interchange of acts of kindness, now giving, now receiving, and ever eager to employ our talents, industry and resources in strengthening the bonds of human society. 23. The foundation of justice is good faith—in other words, consistency and truthfulness in regard to promises and compacts. Though it may seem rather forced, we make bold to follow the Stoics who are keen students of etymology and to assume that *fides*, faith, is so called because a promise *fiat* is fulfilled. There are two kinds of injustice: the positive injustice of the aggressor, and the negative injustice of neglecting to defend those who are wronged. To attack a man unjustly under

the influence of anger or some other passion is to lay hands upon a comrade; not to defend the oppressed and shield them from injustice, is as great a crime as to desert our parents, friends, or country. 24. Premeditated wrongs are often the result of apprehension, the aggressor fearing that he will be the victim if he does not strike the first blow. But it is chiefly for the purpose of satisfying some desire that men commit an injury; and the commonest motive is the love of money.

VIII.—25. In seeking riches, our object is to procure the necessities and the luxuries of life. But men of ambition look on money as a means of acquiring influence and of attaching others to their interests. Not long ago M. Crassus asserted that no man could aspire to political eminence unless he had a fortune on the interest of which he could support a whole army. Magnificence, luxury, elegance, and plenty are no less seductive. Such is the origin of the insatiable thirst for wealth. Not that we have any fault to find with the innocent accumulation of property; it is the unjust acquisition of it of which we must beware. 26. But the strongest temptation to forget the claims of justice is born of the passion for military and political distinction. Ennius says: "No holy bond, no faith is kept, if a kingdom is the prize," but his words have a wider application. Where the places are few and rivalry is keen the struggle

often becomes so fierce that it is difficult to respect the sacred rights of society. Of this we have recently had proof in the audacity of C. Caesar who overthrew all the laws of heaven and earth to gain supreme power, the object of his mad ambition. Alas! it is just the stoutest hearts, the brightest intellects, that are fired with the passion for office and command, for power and glory. Let us then be all the more watchful not to commit the like excess. 27. But there is a great difference between a wrong committed under the influence of some brief and transient passion and one that is wilful and premeditated. A wrong committed under a sudden impulse is not so culpable as a wrong that is planned in cold blood. But I must now leave the subject of positive injustice.

IX.—28. In neglecting the duty of defending others, men are influenced by various motives. They are reluctant to make enemies: they grudge the trouble and expense; they are deterred by indifference, indolence, and apathy; or they are so fettered by their own pursuits and occupations as to abandon those whom it is their duty to protect. Perhaps Plato does not go far enough when he says that philosophers deserve to be called just, inasmuch as they are employed in the investigation of the truth and profess a sovereign contempt for those objects which most men pursue with ardour and for which they will even draw the sword and fight to the last. In wronging no one

the influence of anger or some other passion is to lay hands upon a comrade; not to defend the oppressed and shield them from injustice, is as great a crime as to desert our parents, friends, or country. 24. Premeditated wrongs are often the result of apprehension, the aggressor fearing that he will be the victim if he does not strike the first blow. But it is chiefly for the purpose of satisfying some desire that men commit an injury; and the commonest motive is the love of money.

VIII.—25. In seeking riches, our object is to procure the necessities and the luxuries of life. But men of ambition look on money as a means of acquiring influence and of attaching others to their interests. Not long ago M. Crassus asserted that no man could aspire to political eminence unless he had a fortune on the interest of which he could support a whole army. Magnificence, luxury, elegance, and plenty are no less seductive. Such is the origin of the insatiable thirst for wealth. Not that we have any fault to find with the innocent accumulation of property; it is the unjust acquisition of it of which we must beware. 26. But the strongest temptation to forget the claims of justice is born of the passion for military and political distinction. Ennius says: "No holy bond, no faith is kept, if a kingdom is the prize," but his words have a wider application. Where the places are few and rivalry is keen the struggle

often becomes so fierce that it is difficult to respect the sacred rights of society. Of this we have recently had proof in the audacity of C. Caesar who overthrew all the laws of heaven and earth to gain supreme power, the object of his mad ambition. Alas! it is just the stoutest hearts, the brightest intellects, that are fired with the passion for office and command, for power and glory. Let us then be all the more watchful not to commit the like excess. 27. But there is a great difference between a wrong committed under the influence of some brief and transient passion and one that is wilful and premeditated. A wrong committed under a sudden impulse is not so culpable as a wrong that is planned in cold blood. But I must now leave the subject of positive injustice.

IX.—28. In neglecting the duty of defending others, men are influenced by various motives. They are reluctant to make enemies; they grudge the trouble and expense; they are deterred by indifference, indolence, and apathy; or they are so fettered by their own pursuits and occupations as to abandon those whom it is their duty to protect. Perhaps Plato does not go far enough when he says that philosophers deserve to be called just, inasmuch as they are employed in the investigation of the truth and profess a sovereign contempt for those objects which most men pursue with ardour and for which they will even draw the sword and fight to the last. In wronging no one

they doubtless realise a negative kind of justice, but they fail in their duty when they become so absorbed in study as to abandon those whom they ought to defend. For the same reason he thinks they will not, except under pressure, participate in public affairs. It would be more natural if they came forward unsolicited. For even an action intrinsically right is only just in so far as it is voluntary. 29. Some men, from excessive devotion to their private affairs, or from a sort of misanthropy, say they prefer to mind their own business, and think that in so doing they wrong no one. They thus escape the one kind of injustice only to rush into the other; in fact they are traitors to society because they contribute nothing of their zeal, their energy, or their wealth, to the public good. Having now established the two kinds of injustice with their respective causes, and having determined the constituent elements of that virtue, we can readily decide, unless we are blinded by self-love, what is our duty in particular circumstances. 30. For it is difficult to meddle with other people's affairs, though our friend Chremes in Terence says: "Nothing is indifferent to me that touches man". It is no less true that we are most keenly alive to our own success and our own misfortune; the good and the evil that happen to others we see as it were across a wide gulf, and we cannot judge of our neighbours as we judge of ourselves. It is therefore a good rule never

to do a thing if we are in doubt whether it is right or wrong; righteousness shines with a lustre of its own; doubt is the symptom of a vicious purpose.

X.—31. But there are many occasions when actions that appear eminently worthy of the just man or the good man, as we commonly say, change their complexion and present a different aspect. It may at times be just not to return what is entrusted to our care, not to keep a promise, or to violate the laws of veracity and honour. In such cases we should go back to the principles which I laid down at the outset, as the foundations of justice: do evil to no man; work for the common good. When these principles are modified by circumstances, our duty likewise changes and is not fixed and invariable. 32. Thus the fulfilment of a promise or agreement may be prejudicial either to him to whom it was made or to him who made it. Take an instance from mythology. If Neptune had not kept faith with Theseus, Theseus would not have been bereft of his son Hippolytus. The third of his three wishes, we are told, was the death of Hippolytus; this he conceived in a fit of rage, and when it was fulfilled he was plunged in the deepest grief. If you promise a friend something which would be hurtful to him, your promise is not binding; or if the thing would do more harm to him than good to you, it is no breach of duty to prefer the greater to the lesser good. Suppose you arranged

to appear in court in support of a friend and meanwhile your son fell seriously ill, you would not be obliged to keep your promise; nay, your friend would be more culpable than you if he complained of being abandoned. Again it is obvious that we are not bound to fulfil promises extorted by fear or won from us by craft; indeed these obligations are in most cases cancelled by the decisions of the praetors, or by particular enactments. 33. A common form of injustice is chicanery, that is, an over-subtle, in fact a fraudulent construction of the law. Hence the hackneyed proverb: "The greatest right is the greatest wrong". Public men are often guilty of this offence. I shall illustrate what I mean by two examples. Once a general, having concluded a truce with the enemy for thirty days, ravaged his territory by night, because, he said, the truce applied to the day but not to the night. The conduct of a countryman of ours is equally discreditable; whether it was Q. Labeo or some one else I cannot tell, for I go merely by hearsay. The story is that he was appointed by the Senate arbitrator on a boundary question between the Nolans and the Neapolitans, and on reaching the spot advised the parties separately not to be greedy or grasping and rather to retire than to push forward. They consented, and a belt of neutral land was left between them. So he fixed their frontiers in accordance with their own sug-

gestion, the unclaimed tract he awarded to the Roman people. This surely is deceit and not arbitration. It should be a lesson to us to avoid such despicable trickery.

XI.—We have also our duties towards those by whom we have been wronged; for retribution and punishment have their limits. Perhaps it would suffice if the aggressor repented the injury he had done. His expression of regret would keep him from repeating the offence and would deter others from injustice. *34.* In national affairs the laws of war must be strictly observed. There are two methods of settling a dispute, discussion and force; the one is characteristic of man, the other of beasts; it is only when we cannot employ conciliation that we are justified in resorting to force. *35.* Our one object in making war should be that we may live in peace unmolested; when victory is gained we should spare those who have not been cruel or barbarous. Our forefathers enfranchised the Tusculans, the Aequians, the Volscians, the Sabines, and the Hernicans, while they razed to the ground Carthage and Numantia. I wish they had spared Corinth, but I think they had some good reason for what they did, most probably the strength of the place which they feared might some day tempt the Corinthians to renew the war. In my opinion peace should be our constant aim if there is no danger of treachery. Had my voice been

heard, we should still possess, if not the best, at least some form of government, but now we have none. It is our duty not only to be merciful to the conquered, but, even though the battering-ram has shattered their walls, to shelter those who lay down their arms and seek the protection of the commander. Justice to our enemies was so scrupulously observed among our countrymen that those who accepted the submission of states or tribes conquered in war, became their patrons by ancient usage. 36. The laws of war are religiously recorded in the fetial code of the Roman people. International law teaches that a war is just only if it is duly declared after a formal demand for satisfaction has been made. (Popilius was governor of a province and the son of Cato was serving in his army as a recruit. Popilius having decided to disband the legion to which he belonged, discharged young Cato with the rest of the men. But he remained in the army from love of fighting; Cato then wrote to Popilius asking him to bind his son by a second military oath if he allowed him to continue in active service: because through voidance of the former oath he had no right to fight with the enemy. Such was the rigour then observed in the conduct of war.) 37. A letter is extant which Marcus Cato the elder wrote to his son Marcus while he was serving in Macedonia in the campaign against Perses. He had heard that his son had been discharged by

the consul. He therefore warned him not to engage in battle because one who was not legally a soldier had no right to draw the sword against the enemy.

XII.—Here I would call attention to the euphemism by which *hostis*, a stranger, is substituted for *perduellis*, the strict term for an enemy under arms. *Hostis* in the olden time had the same sense as *peregrinus* has now. We have proof of this in two passages from the Twelve Tables : "or a day fixed *cum hoste, with a stranger*," and "*against a stranger, adversus hostem* the right of ownership is inalienable". I ask you, Could charity go further than to describe by so gentle a name the man with whom you are waging war ? But the word is now so debased by usage that it has dropped the meaning of stranger and is restricted to the technical sense of an enemy under arms. 38. In every struggle for empire and glory we must be governed by the motives which I have just mentioned as the legitimate causes of war. Still the asperity of the conflict should be tempered by the noble motive of imperial glory. As in civil strife our attitude is different to a personal enemy and to a rival—with a rival the struggle is for office and position, with an enemy for life and honour —so with the Celtiberians and Cimbrians we fought as with personal enemies, not for empire but for existence ; while it was for empire that we waged

an act of treachery under the cloak of virtue. But I must not enlarge.

Liberality

XIV.—42. My next subject is beneficence or liberality, the most human of all the virtues, but one which often demands the exercise of caution. We must give heed that our bounty is not injurious either to those whom we intend to benefit or to others, that it does not exceed our means, and that in each case it is proportioned to the worth of the recipient. This last principle is the foundation of justice, the standard by which all these acts of kindness must be measured. If we offer to another under the guise of kindness what will do him harm, we are not to be accounted beneficent or liberal men but dangerous hypocrites; and if we harm one man in order to be liberal to another we are quite as unjust as if we were to appropriate our neighbour's goods. 43. Many men, however, especially if they are ambitious of honour and glory, lavish on one the spoils of another, expecting to obtain credit as benefactors, if only they enrich their friends by fair means or by foul. Such conduct is absolutely opposed to duty. Let us therefore remember to practise that kind of liberality which will be beneficial to our friends and injurious to no one. Neither Sulla nor C. Caesar deserves to be called liberal for transferring property from its rightful owners into the hands of strangers. For without justice there is no liberality.

44. The second precaution of which I spoke is that our bounty should not exceed our means. Those who seek to be more generous than their circumstances permit, offend in two ways. First they wrong their kin by making over to strangers the wealth which in justice they should rather give or bequeath to those of their own blood. In the second place the passion for plunder and dishonest gain is almost inseparable from this foolish generosity which must ever replenish the source of bounty. It is also manifest that the conduct of men who are not really generous but only ambitious of the name often springs from vainglory rather than from a pure motive. Such hypocrisy, I hold, savours more of deceit than of liberality or honour.

45. My third rule is that we should carefully weigh the merits of those whom we intend to benefit. Let us look to the character of the recipient, his disposition towards us, our common interests and social relations, and the obligations under which we lie to him; if he unites all these claims on our kindness, we cannot look for more; if some are lacking, the number and importance of the others must turn the scale.

XV.—46. As those with whom we live are neither perfect nor ideally wise, and as we may consider ourselves fortunate if we find in them even a shadow of

virtue, it is evident that we should neglect no one who exhibits the slightest trace of worth, and should respect and cherish other men in proportion as they are adorned with these gentler virtues, moderation, self-command, and this very justice of which I have spoken so much. The spirit of fortitude is generally too impetuous in the good man who has not attained moral perfection and ideal wisdom; it is the gentler virtues that seem to be more within his reach. So much for the character of the recipient of our bounty. 47. As to the affection he may cherish towards us, our first duty is to be kindest to him who loves us best; but we should not test his love, as youths would do, by its passionate fervour but rather by its strength and constancy. If, however, we are debtors, and our duty is not to bestow but to requite a favour, it behoves us to give the greater diligence; for no duty is more imperative than gratitude. 48. But if, as Hesiod enjoins, we ought to give back with interest, if possible, what we have borrowed, how should we answer the challenge of kindness? Must we not imitate those fertile lands which yield even more than they receive? For if we do not grudge to serve those from whom we look for recompense, with what zeal should we not requite favours already received? Liberality is of two kinds; it gives and it returns; it is in our own power to give or not to give, but to requite a favour is for the good man a sacred obliga-

tion provided he can do so without injustice. 49. It is necessary, however, to discriminate between benefits received; and it is clear that the greatest benefit deserves the greatest gratitude. But we must always think of the spirit, the devotion and the affection that have prompted the deed. Many blind and thoughtless men are carried away by a morbid philanthropy or by fits of generosity as sudden as the wind. But benefits conferred with judgment, deliberation, and consistency, stand upon a higher plane. Whether we bestow or requite a favour, duty requires, if other things are equal, that we should first help those who need our help most; but that is not the way of the world. For men are most eager to serve one from whom they expect the greatest reward even though he needs no help.

XVI.—50. The surest means of strengthening the bonds of society is to bestow the greatest kindness on those who are nearest to us. Let us go to the root of the matter and seek in nature the first beginnings of society. The first is seen in the brotherhood of the entire human race. The bonds of connection are thought and speech, the instruments of teaching and learning, of communication, discussion, and reasoning, which unite man to man and bind them together by a kind of natural league. Nothing lifts us so far above the brutes; in some animals we recognise courage, as in the horse and the lion, yet, as

animals have neither thought nor speech, we never ascribe to them justice, equity or goodness. 51. Such is the universal brotherhood of mankind. Here the common right to all those things which nature has destined for the common use of man must be kept inviolate; and while property assigned by statute or by civil law must be held under the conditions established by these laws, we may learn from the Greek proverb, "among friends all things in common," how to regard all other property. The goods common to all men are, I think, defined in the words of Ennius, which though restricted by him to one instance are generally true:—

> To put a wandering traveller in's way,
> Is but to light one candle with another:
> I've ne'er the less, for what I give.

This one example teaches us to grant even to a stranger what it costs us nothing to give. 52. Hence the common maxims: "Keep no one from a running stream"; "Let any one who pleases take a light from your fire"; "Give honest advice to a man in doubt," things which we receive with profit and give without loss. Therefore while we enjoy these blessings we must always contribute to the common weal. But since the resources of individuals are limited and the number of the needy is infinite, we must think of the standard of Ennius: "None the less it shines for him," and so regulate this general liberality that we may

continue to have the means of being generous to our friends.

XVII.—*53.* Human society may embrace a wider or a narrower circle. Apart from the tie of our common humanity, there is the closer alliance of those who belong to the same nation or tribe and speak the same language. This is a strong bond of union. A more intimate relationship subsists between members of the same state. Fellow-citizens have many things in common; the forum, the sanctuaries, colonnades and streets, laws and privileges, the courts of law, the right of suffrage, social and friendly ties, and the many reciprocal relations of commerce. Still closer is the union of kinsmen; it is human society in miniature. *54.* As all living creatures are endowed with the reproductive instinct, the first bond of union is that between husband and wife, next that between their children; then comes the unit of the family and community of goods. Here we find the germ of the city, the nursery, I may say, of the state. Next in order are the relations of brothers and sisters and of first cousins and their children who, cramped in the one home, go forth as it were to found new colonies. Marriages, with their relationships, follow and kinsmen multiply. In this propagation and its aftergrowth states have their origin. For the ties of common blood unite men in kindness and love. *55.* It is a great thing to have one family history, a

common worship, and a common tomb. But when good men of like character are joined in friendship, there we find the noblest and the strongest union. Honour, on which I love to dwell, attracts us even in others and kindles a fellow-feeling for those whose character it adorns. 56. Of all the virtues justice and liberality have the greatest charm, the greatest power to excite our love for those in whom they seem to reside; and the strongest bond of affection is the moral sympathy which unites the good. When two men have the same tastes and the same desires, each loves his neighbour as himself, and the ideal of Pythagoras is realised; the two friends become one. Another strong bond of sympathy is the interchange of services; so long as they are mutual and acceptable, they bind us together in a lasting alliance.

57. Now if you survey in your mind all the social relations, you will find that none is more important, none closer, than that which links each one of us with the state. We love our parents, we love our children, our kinsmen, and friends, but all our loves are lost in love of country. Who would not die for her sake if by his death he could do her good? All the more execrable are the fiends who have mangled her body with every outrage, who have laboured and still are labouring to compass her ruin. 58. But if we compare and contrast the rival claims to our friendly offices, we must assign the first rank to our

country and our parents to whom we owe so many benefits; the next to our children and our whole household, who look to us alone and have no other refuge. Next in order are those kinsmen with whom we live in harmony, and with whom we are so often united by common interests. It is they who have the strongest claim on us for material help; but close intimacy, the interchange of thought and speech, of exhortation, consolation, even of rebuke—these things thrive best in the soil of friendship, and the happiest friendship is that which is cemented by moral sympathy.

XVIII.—59. In apportioning all these services we shall have to consider what each man needs most and what he can or cannot procure without our aid. Thus it will often be found that the claims of necessity are stronger than the claims of kin, and that our duty to one man is more pressing than our duty to another; you would sooner help your neighbour to gather in his corn than your brother or your friend; but if a case were on trial, you would rather plead for a kinsman or a friend than for a neighbour. Such are the circumstances we must keep in view in all our moral calculations if we would be good accountants of duty, skilled in adding and subtracting, in striking a balance, and finding what is due to this one and to that. 60. Physicians, generals and orators, however proficient in the rules of their art,

achieve no great success unless they unite theory with practice; so there is no lack of precepts on duty such as I now lay down, but it is experience and practice above all that are required in a matter so important. Perhaps I have said enough to show how honour, the source of duty, originates in the rights and obligations of human society. 61. Of the four cardinal virtues from which honour and duty are derived it is evident that the most imposing in the eyes of the world is fortitude, that great and sublime spirit which scorns the chances of life. So, upon occasion, it is taunts like these that first come to our lips.

> Young men in show, but wenches in your hearts:
> While Cloelia plays the brave and acts your parts,
> You're for exploits that cost no sweat, nor blood.

So, when we contemplate the brave and noble deeds of some great spirit, we instinctively grow eloquent in their praise. Valour affords a field for eloquence in Marathon, Salamis, Plataeae, Thermopylae and Leuctra; valour animated our own Cocles, the Decii, Cn. and P. Scipio, M. Marcellus, and others without number, and valour has made of the Roman people a nation of heroes. The military costume which adorns almost all our statues is a further proof of our passion for glory in war.

XIX.—62. But if this high spirit which shines in toil and danger is divorced from justice and fights

for private ends, and not for the public good, it is anything but a virtue: it is a brutal vice, repulsive to all our finer feelings. Fortitude is therefore admirably defined by the Stoics as the virtue which fights for equity, and no one ever acquired true glory whose reputation for fortitude was founded on craft and cunning, for there can be no honour without justice.

63. Plato has a fine reflection on this subject: "Knowledge without justice is to be accounted cunning rather than wisdom, and even intrepidity, if prompted by personal ambition, and not by public spirit, does not deserve the name of fortitude: audacity is its name". I maintain then that fortitude or strength of character must be joined with goodness and candour, love of truth and hatred of deceit: qualities which are the very marrow of justice. 64. Unhappily this elevation or greatness of mind is the soil in which obstinacy and the inordinate love of pre-eminence most readily take root. Plato tells us that the Lacedaemonians as a nation are consumed with the passion for victory; so it is with the man of strong character, his ambition is to rule, nay, to rule alone. But it is difficult for those who covet such pre-eminence to maintain that fair spirit which is essential to justice. Thus it happens that men of ambition neither listen to reason nor bow to public and legitimate authority, but chiefly resort to cor-

ruption and intrigue in order to obtain supreme power and to be masters by force rather than equals by law. But the greater the difficulty the greater the glory. For in every circumstance of life justice must be respected. 65. It follows that the title of brave and magnanimous men belongs not to those who commit but to those who repel injustice. The true fortitude of the sage places honour, which above all things it instinctively pursues, not in glory but in conduct, and aspires to be first in deed rather than in name. For the slave of the capricious and ignorant mob cannot be reckoned a man of power. Yet it is the loftiest spirits that are most easily led into temptation by the passion for glory : but now we are on slippery ground, for where will you find the man who does not aspire to glory as the natural reward of the hardships he has undergone and the perils he has encountered ?

XX.—66. Fortitude has two characteristics. The first is indifference to outward circumstances. It is founded on the conviction that nothing is worthy of the admiration, the desire, or the effort of man except what is honourable and decorous and that he must surrender neither to his fellow-men, to passion, nor to fortune. The second, the natural outcome of this moral temperament, is the ability to perform actions which are not only great and useful, but arduous, laborious, and fraught with danger to life

and all that makes life worth living. 67. Of the two parts of fortitude the latter is brilliant and imposing, as well as useful, but the former embodies the principle which makes great men and noble spirits that laugh at fortune. To regard honour as the only good and to be free from passion are the two fruits of this virtue. It is a mark of moral courage to make light of those objects which dazzle the world, and steadily to despise them on fixed and settled principles, but it demands a character not less strong and stable to bear the bitter sorrows of life and the countless blows of fortune without departing from our natural tranquillity or sacrificing the dignity of the sage. 68. Further, it would be inconsistent to master fear but be mastered by desire, to conquer hardship but be conquered by pleasure. Let us guard against these errors and above all shun the love of money, for there is no surer sign of a narrow, grovelling spirit, just as there is nothing more honourable or noble than to despise what fortune refuses and to devote what she bestows to beneficence and liberality. As I said above, we ought to beware of the passion for glory, for it robs us of liberty, which brave men should pursue with all their might, and we should not seek command or rather upon occasion decline it or lay it down. 69. Again, we must put away every emotion—desire, fear, grief, joy, anger—in order that we may enjoy the tranquillity and composure of mind which brings

in its train moral stability and self-respect. It is the love of this tranquillity that has led so many men in all ages to withdraw from public affairs and take refuge in a life of leisure. Among the number have been illustrious philosophers of the first rank and grave and earnest men who could not bear the ways of the people or their rulers. Some of these spent their lives in the country finding pleasure in the management of their property. 70. They aspired to the independence of kings, who suffer no want, bow to no authority, and enjoy liberty, or the privilege of living as you please.

XXI.—This then is the common object of ambitious statesmen and men of leisure; statesmen expect to attain it by acquiring great wealth, men of leisure by contenting themselves with their own means, however small. Neither view is to be condemned, but the life of the retired man is easier and safer for himself, less dangerous and oppressive to others, while the career of the politician who devotes himself to the conduct of important affairs is more fruitful to the world and is the highway to eminence and distinction. 71. I should therefore be disposed to excuse the political inaction of men of genius who consecrate their lives to study and of those who through ill-health or some more serious cause withdraw from public life, leaving to others the opportunity and the credit of government. But

when men without such excuse profess to scorn the commands and offices which dazzle the world, their conduct deserves nothing but censure. In so far as they despise glory and count it as naught we are bound to sympathise with their views; but it really seems as if they shrank from toil and trouble and the supposed discredit of political failure. Some men are inconsistent in opposite circumstances; they rigorously despise pleasure, in pain they are oversensitive, they scorn glory, but are crushed by disgrace, and even in their inconsistency they are inconsistent. 72. But the born administrator should without hesitation seek for office and assume the direction of public affairs; otherwise government becomes impossible and there is no field for the display of fortitude. Now magnanimity and contempt of fortune, tranquillity and composure of mind, are not less necessary, perhaps even more necessary, to statesmen than to philosophers, if they are to be free from anxiety and to live a staid and well-balanced life. 73. This is easier for philosophers; their life is less exposed to the blows of fortune; they have fewer wants; and in adversity they have not so far to fall. Statesmen are naturally agitated by stronger emotions than private citizens and they are more ambitious of success. Thus they have all the more need to exercise fortitude which frees the mind from care. On entering political life a man should not

only consider the honourable nature of the work, but also his ability to perform it; and in this self-examination he must guard against the groundless despair of the coward and the excessive confidence of the man of ambition. In a word, whatever we undertake, the most thorough preparation is necessary.

XXII.—74. I wish here to correct the prevailing prejudice that the work of the soldier is more important than the work of the statesman. Many men seek occasions for war in order to gratify their ambition; and the tendency is most conspicuous in men of strong character and great intellect, especially if they have a genius and a passion for warfare. But if we weigh the matter well, we shall find that many civil transactions have surpassed in importance and celebrity the operations of war. 75. Though the deeds of Themistocles are justly extolled, though his name is more illustrious than that of Solon, and though Salamis is cited as witness to the brilliant victory which eclipses the wisdom of Solon in founding the Areopagus, yet the work of the law-giver must be reckoned not less glorious than that of the commander. Salamis was a momentary advantage to the state, the Areopagus a benefit which will endure for ever; for it is this council that has preserved the laws of the Athenians and their time-honoured institutions. Themistocles can point to no instance in which he served the Areopagus, while the Areopa-

gus can boast of rendering aid to Themistocles; for the war was directed by the wisdom of that council which Solon had established. 76. The same may be said of Pausanias and Lysander. Though they extended the limits of the Lacedaemonian empire, their exploits are nowise to be compared with the legislation and the constitution of Lycurgus. Why, it was to him they owed the discipline and courage of their men. To tell the truth, I never thought M. Scaurus inferior to Marius when I was a boy, nor Q. Catulus to Cn. Pompeius at the time when I was engaged in public affairs; an army in the field is nothing without wisdom at home. Scipio Africanus, who was equally remarkable as a man and as a soldier, rendered no greater service to his country by the destruction of Numantia than his contemporary P. Nasica who though not invested with official authority put to death Ti. Gracchus. The conduct of Nasica does not belong exclusively to the province of civil affairs—for an act of violence borders on warfare—still it was a political, not a military measure. 77. That is a fine sentiment though I hear it is constantly assailed by traitors who bear me a grudge:—

> Let swordsmen to the gown give place,
> And crown the orator with bays.

Not to mention other examples, when I was at the helm of state, did not the sword yield to the garb

of peace? Never was our country menaced by more serious danger, never did she enjoy more profound repose: and it was through my vigilant policy that the sword slipped from the traitor's hands and fell to the ground as if by magic. When was such an exploit performed in war? Where will you find a triumph to compare with mine? 78. I speak thus frankly, my dear son, because I know that my self-complacency will be pardoned by one who is destined to inherit my glory and follow my example. Why, the great Cn. Pompeius, a hero crowned with the laurels of victory, publicly paid me the compliment that in vain would he have won his third triumph had not my efforts preserved our city, the scene of its celebration. There is then a civic fortitude which is not inferior to the prowess of the soldier, and demands even greater energy and self-sacrifice.

XXIII.—79. That moral dignity, which we find in a noble and lofty spirit, depends, it is true, on force of mind, not on bodily strength; yet we must so train and school the body that it may obey our judgment and reason, whether we are discharging public functions or enduring hardships. The moral dignity, I say, which is the subject of our inquiry, consists exclusively in thought and reflection; and thus the ministers who govern the republic perform as important work as the generals who command her armies. It is by the policy of statesmen that war has often

been averted, brought to a close, or even declared; the third Punic War, for instance, was undertaken on the advice of M. Cato, and even after his death it was affected by his powerful influence. 80. Accordingly in settling a dispute the skill of the diplomatist is to be preferred to the valour of the soldier, but we should adopt this principle not through fear of war but on the ground of public expediency, and should only take up arms when it is evident that peace is the one object we pursue. Again, the strong and resolute man is not shaken by misfortune; he is never disconcerted or thrown off his balance, but at all times retains his presence of mind, his judgment, and his reason. 81. Such are the marks of personal courage. But the man of great intellect anticipates the future, calculates the chances for good or for evil, decides how to meet every contingency, and is never reduced to the necessity of saying: "That is not what I expected". These are the features by which we recognise a great and sublime spirit, confident in its own prudence and wisdom. But to rush into battle blindfold and fight the enemy hand to hand is barbarous and brutal; nevertheless, when stress of circumstances demands it, we must draw the sword and choose death before slavery and shame.

XXIV.—82. To pass to the destruction and spoliation of cities we should here avoid recklessness and cruelty. In times of disorder, too, the brave man will

punish the leaders and spare the people and in every conjuncture will cleave to what is right and honourable. I have said that some men prefer the valour of the soldier to the wisdom of the statesman, so you will find many to whom a dangerous and feverish policy is more dazzling and impressive than calm and well-considered counsels. 83. We should never incur the imputation of cowardice by fleeing from danger, while we should avoid the other extreme of rushing into danger, which is the height of folly. It is therefore necessary in perilous enterprises to follow the practice of physicians who treat mild cases with gentle measures and only apply desperate remedies to desperate diseases. It is mad to pray for a storm when the sea is calm, but wise, when it comes, to meet it with every precaution (so it is wrong to court danger, but right to face it boldly), especially if you have more to gain by decisive action than you would lose by remaining in suspense. Now great enterprises are fraught with danger partly to those who undertake them, partly to the state, and in carrying them out some men risk their lives, others their reputation and the goodwill of their fellow-citizens. We should therefore be more willing to endanger our own interests than the welfare of our country and to stake our honour and glory more readily than other advantages. 84. History presents many examples of men who, though ready to lavish

wealth and even life for their country, turned a deaf ear to her prayers when she called for the slightest sacrifice of their glory. Callicratidas, the Lacedaemonian commander in the Peloponnesian war, performed many brilliant exploits, but at last threw away all he had won by rejecting the proposal that he should withdraw his squadron from Arginusae and not engage the Athenians. "If the Lacedaemonians lose this fleet," he replied, "they can build another, but for me flight means disgrace." The reverse at Arginusae was unimportant. But that was a fatal blow which Cleombrotus dealt to the Lacedaemonian empire when through fear of public opinion he rashly fought with Epaminondas. How much wiser the conduct of Q. Maximus of whom Ennius says:—

> Fabius was slow but sure, and his delay
> Restored the tottering state. Now 'twas his way
> To mind his business, not what people said:
> He lived a great man, but he's greater dead.

Errors such as these should also be avoided in political life. There are actually men who through fear of unpopularity will not dare to express their opinions, however excellent.

XXV.—85. Our statesmen will do well to remember these two precepts of Plato's. Forgetting personal interest they should aim at the public advantage and make that the object of all their efforts; again, they should care for the whole body politic and not abandon

one part while protecting another. The government of a country resembles the charge of a minor. It must be conducted for the advantage of the governed, not of the governors. To promote the welfare of one section of the citizens and neglect another is to bring upon the state the curse of revolution and civil strife. What is the result? We have a democratic and an aristocratic party, but a national party hardly exists. 86. This factious spirit it was that caused such bitter feuds at Athens and in our own republic fanned the flames of sedition and destructive civil wars. From such disasters a brave and earnest citizen worthy of supreme political power will turn with detestation. Indifferent to influence and power he will give his undivided energies to the public service and will impartially promote the interests of every class and the good of the whole nation. He will never employ false charges to expose any man to hatred or unpopularity, but will cleave to justice and honour, and rather than abandon his principles will suffer the heaviest loss and brave even death itself. 87. There is nothing more deplorable than the passion for popularity and the struggle for office. Plato has a fine simile on this subject. "Competitors for the public administration," he says, "are like sailors fighting for the helm." In another place he enjoins us not to regard our political opponents with the same hostility as men who take up arms against

our country. I may cite as an example the rivalry of P. Africanus and Q. Metellus which was never embittered by personal rancour. 88. I have no patience with those who would have us cherish bitter animosity against our rivals as if that were a mark of fortitude. No, there is nothing more praiseworthy, nothing more becoming in a great and noble character than a forgiving, forbearing spirit. In a free country, where all enjoy equal rights, if we cultivate a gracious manner it should be united with the power to disguise our feelings, for, if we are ruffled by an ill-timed visit or an impudent request, we may fall a prey to a churlish temper injurious to ourselves and offensive to others. But if the public interests are at stake this gentleness and mercy are only to be commended when they are accompanied with sternness without which government is impossible. In administering punishment and reproof it behoves us to abstain from insult and to seek the public advantage and not our personal satisfaction. 89. Again, we should never impose a penalty disproportioned to the offence or for the same crime punish one and let another go unchallenged. Above all, when we inflict punishment, let us put away anger; he who approaches the task in an angry spirit will never observe the happy mean between excess and defect, that cardinal principle of the Peripatetics, which they would be right in preaching if they did not praise

anger and tell us that nature has bestowed it for some good end. No, in all circumstances let us repudiate this passion and pray that our rulers may resemble the laws which punish not in anger but in justice.

XXVI.—90. Moreover when fortune smiles and everything is going to our heart's desire, it is our duty to abstain from pride, disdain and arrogance. It is as sure a sign of weakness to be spoiled by success as to be crushed by misfortune, and it is a golden rule in every situation of life to keep our balance and wear an even look and the same unruffled brow. Such we learn from history was the character of Socrates and of C. Laelius. Philip of Macedon, we are told, was inferior to his son in heroism and glory but surpassed him in condescension and sympathy. The father was always noble, the son was often mean; hence the maxim seems true: "The higher you rise, the more lowly must you be". Panaetius records a favourite simile of his friend and pupil Africanus: "When horses grow wild and mettlesome after constant charges in the field of battle, their owners hand them to the horse-breaker to make them more tractable; so presumptuous men who turn restive in prosperity should be taken to the *manège* of reason and philosophy to learn the frailty of human things and the fickleness of fortune". 91. It is above all in the height of our success that we

should consult our friends and bow to their authority. At such a season too it is well to beware of the flatterer and close our ears to his seductive words. We are all so well pleased with ourselves that we accept praise as our due; hence the countless blunders of men who, puffed up with vanity, fall a prey to the greatest delusions and bring upon themselves contempt and ridicule. 92. But enough of this subject. To recapitulate, the public administration is so extensive in its range and embraces such a multitude of interests that statesmen unquestionably perform the most important work in the world and that which demands the greatest fortitude. But it cannot be denied that in all ages many private men of strong character have carried on important researches or pursued great objects without quitting their own sphere. Midway between philosophers and states men there is another class who take delight in the management of their own affairs, never adding to their fortune by unscrupulous means nor refusing, in case of need, to aid their kinsmen, their friends, or their country. Property should be acquired by no dishonest or odious methods; it should be increased by thought, care and thrift; and it should benefit the greatest possible number provided they are worthy, and minister less to excess and luxury than to liberality and beneficence. By following these principles we may lead a lofty, dignified, and

independent life, uniting candour with good faith and goodwill to all men.

XXVII.—93. It remains to discuss the last part of honour. This comprises considerate feeling and the virtue of self-command or moderation, which lends a sort of lustre to our life, subdues our passions and regulates our conduct. It further includes the virtue which we may call in Latin decorum; the Greeks call it *πρέπον*. Decorum is really inseparable from honour. 94. Indeed the two notions are coextensive and the difference between them is more easily felt than explained. For decorum, whatever it may be, always presupposes honour. It is therefore found not only in the present division of honour, but also in the three preceding. It is decorous to think and speak wisely, to act deliberately, and in everything to see and uphold the truth; on the other hand, it is just as indecorous to be led astray and wander stumbling in the dark, as to go crazy and lose one's reason. All just acts are decorous, while unjust acts are at once dishonourable and indecorous. The same thing is true of fortitude. To act in a manly and courageous spirit is decorous and worthy of a man, to do otherwise is at once dishonourable and indecorous. 95. The decorum of which I speak is thus related to honour as a whole, and the relation is so manifest that no abstruse process of reasoning is required to discover it. In the

whole of virtue we feel there is something decorous; and if we separate these two conceptions, the distinction is more theoretical than real. As bodily grace and beauty are inseparable from health, so decorum is merged in virtue though the two conceptions may be severed in thought. 96. There are two kinds of decorum; the one is general and is associated with honour as a whole, the other is special and belongs to particular virtues. General decorum is commonly defined as that which harmonises with the characteristic excellence of man which distinguishes him from all other living creatures; and special decorum as that which so befits our nature as to invest moderation and temperance with an indefinable charm.

XXVIII.—97. That this is the notion of decorum may be inferred from the laws of dramatic propriety. These are fully treated in other works, but I will here remark that poets observe these laws when they make each personage act and speak in accordance with his character. For example, we should be shocked if Aeacus or Minos said, "let them hate, so they fear," or, "the father is the grave of his own children," because we know that they were just men: but in the mouth of Atreus these words call forth applause, because they are appropriate to his part. It rests with the poet to decide what is proper to each character by the part he plays. As for man, Nature herself has assigned to him a part far transcending

that of other living creatures. 98. If the poet has to invest his varied personages with their appropriate attributes, and to clothe even vice in its peculiar garb, we, whom Nature has placed upon the stage of life to exhibit strength of character, moderation, self-command and sympathy, we, whom she teaches to bethink us of our duties to our fellow-men, cannot fail to see the extent and importance of the general decorum which is inseparable from honour as a whole, and of the special decorum which is displayed in each particular virtue. As bodily beauty attracts the eye by the symmetry of the limbs and charms us by the graceful harmony of all the parts, so the decorum which shines in our conduct engages the esteem of society by the order, consistency and restraint which it imposes on all our words and deeds. 99. We therefore owe a certain deference to all men, especially to the good. For indifference to public opinion is a mark not only of presumption but of utter depravity. In our social relations there is a difference between justice and sympathy. Not to wrong our fellow-men is the function of justice: that of sympathy is not to wound their feelings; herein the power of decorum is most conspicuous. The nature of that virtue should, I think, be clear from the foregoing exposition. 100. The duty derived from decorum conducts us in the first place to harmony with nature and the faithful observance of her laws.

If we take nature for our guide we shall never go astray, but resolutely follow Prudence, that is true insight and wisdom, Justice, the principle of human society, and Fortitude or moral strength. But it is in Temperance, the division of Honour now under discussion, that the force of decorum is most conspicuous; for neither the gestures of the body nor the emotions of the mind can be called decorous unless they are in harmony with Nature. 101. The soul is swayed by two forces: the one is appetite, called by the Greeks ὁρμή, which hurries us this way and that, the other reason, which teaches us what to do and what to avoid. It follows that reason must command and appetite obey.

XXIX.—Our conduct should be wholly free from thoughtless precipitation, and for every action we should be able to furnish a reasonable motive; that is as nearly as possible the definition of duty. 102. To this end it is necessary to bring the appetites under the sway of reason; they must neither be so impetuous as to run away from reason nor so lazy and sluggish as to lag behind her, but should be calm and free from passion: thus will consistency and moderation shine forth in all their glory. If through desire or fear the appetites run riot and become too restive to be controlled by reason, they clearly overstep the bounds of moderation. For when they cast off the yoke and revolt against their

natural mistress, they not only unsettle the soul, but disfigure the body. Just look at the face of a man agitated by anger, desire, or fear, or intoxicated with pleasure; what a change in his look, his voice, his gestures and his whole aspect. 103. To return to the conception of the duty under discussion, it is manifest that we must curb and calm our appetites and stir ourselves up to be diligent and watchful lest we grow reckless and let our lives drift without thought or care. Surely Nature never intended us for sport or jest so much as for purposes more serious and noble, and for an earnest life. Sport and jest have their own place like sleep and other kinds of repose, but we must first meet the claims of serious and important work. Wit should be neither extravagant nor immoderate but refined and elegant. As we do not allow children absolute freedom in their play but only such freedom as comports with good conduct, so even in a jest there should be some spark of virtue. 104. Jests are of two kinds: some are low, wanton, wicked, obscene; others elegant, polished, graceful. Elegant witticisms abound not only in Plautus and the Old Attic Comedy but also in the pages of the Socratic philosophers, and we possess many happy sayings of the kind such as the ἀποφθέγματα collected by Cato the Elder. It is easy to distinguish the refined from the vulgar jest. At the proper season, when the mind is free, an elegant

sally is worthy of a great man, but coarse thoughts expressed in coarse words are only fit for a slave. Sport as well as wit has its limits which we should never transgress lest we be carried away by passion and lapse into some deed of shame. Our "Campus" and the chase furnish examples of noble pastimes.

XXX.—105. In every question of duty it is important to remember how far the nature of man transcends the nature of the brutes. The brutes are susceptible only of sensual pleasure, and at that they rush in full career; but the mind of man is nourished by study and thought, is ever seeking or doing, and is charmed with the pleasures of seeing and hearing. Why, if a man is at all prone to sensual pleasure, without descending, as some men do, to the level of the brutes, and is caught in the toils of vice, for very shame he hides and cloaks his passion. 106. Hence it is evident that sensual pleasure is unworthy of the dignity of man and that we must scorn and cast it from us; but if we do yield to passion let us take heed that we use some measure in our indulgence. Therefore in the food we eat and the care we bestow on the body we should aim at health and strength and not at sensual pleasure. We have only to reflect on the excellence and dignity of human nature to feel how base it is to languish in luxury and pamper ourselves in voluptuous ease, and

how noble it is to lead a frugal, temperate, well-disciplined life.

107. In the next place observe that Nature has invested us with two characters. The one is universal, inasmuch as all men participate in reason and in that excellence which lifts humanity above the brute creation. This is the one source of honour and decorum and of the very idea of right and wrong. The other character is individual. Great as are the diversities in the constitution of the body—one man is a swift runner, another a strong wrestler; one has a stately, another a graceful figure—the diversities of character are greater still. 108. L. Crassus and L. Philippus possessed great wit, Caesar, the son of Lucius, even greater, but his was more laboured; on the other hand, their contemporaries, young M. Drusus and M. Scaurus, were remarkable for their gravity and C. Laelius for his vivacity, while his friend Scipio united a loftier ambition with a more solemn demeanour. Among the Greeks, we are told, Socrates had a winning, playful, sprightly manner, and his discourse was full of that roguish humour which the Greeks call irony; Pythagoras and Pericles on the other hand had not a spark of gaiety and yet attained commanding influence. Among the Punic leaders Hannibal was as shrewd as Q. Maximus among our own; both had the gift of silence and the art of hiding their own stratagems and stealing a march on

the enemy. For such qualities the Greeks assign the palm to Themistocles and Jason of Pherae, and we have a remarkable instance of astuteness in the artifice of Solon, who feigned madness in order to save his life and benefit his country. 109. In contrast with these are the men of frank and open character, who love the truth, hate deceit, and set their face against craft and treachery; others again, like Sulla and M. Crassus, would stoop to anything and cringe to any man, if only they could gain their object. Thus the artful diplomacy of the Lacedaemonian Lysander formed a strong contrast with the character of Callicratidas, his immediate successor in the office of admiral. Further, we know of eminent men who were remarkable for their condescension. I may cite as examples Catulus and his son, and Q. Mucius and Mancia. Old men have told me the same thing of Nasica, but they said that his father, who punished the frantic schemes of Ti. Gracchus, had no such gracious manner and rose to greatness and celebrity for that very reason. Besides these there are countless varieties of character, none of which is to be condemned, though they all differ from one another.

XXXI.—110. The surest means of observing the decorum which is the object of this inquiry is to be resolute in cleaving to our own native qualities, provided they be not vicious. Without violating the

universal laws of human nature we should follow the bent of our own character, and, leaving to other men careers more brilliant and imposing, determine our pursuits by the standard of our own aptitudes. It is vain to fight against the conditions of our existence and strive after the impossible. Thus the conception of decorum emerges into clearer light; for, according to the adage, nothing is decorous if it thwarts Minerva—in other words, if it is in direct opposition to our natural genius. 111. If there be such a thing as decorum at all, it is nothing but the balance of the whole conduct and of particular acts, and how can this be maintained if we copy the nature of others to the neglect of our own? For, as we ought to use our mother tongue which everybody understands in order to escape the well-deserved ridicule which some incur by foisting in Greek phrases, so we should introduce no discord either into particular actions or into our conduct as a whole. 112. This diversity of character is sometimes so imperious that in the same circumstances suicide is for one man a duty, for another a crime. Was not M. Cato in the same position as those who surrendered to Caesar in Africa? Yet they might have been condemned if they had slain themselves, because their life had been less austere, their characters more pliant; but Cato, whom Nature had endowed with incredible resolution which he had fortified by unswerving unity of purpose,

Cato, who had continued steadfast in every design and every enterprise, had no choice but to die rather than behold the face of the tyrant. 113. What miseries Ulysses suffered in his weary wanderings! Think how he stooped to be the slave of women (if Circe and Calypso deserve the name), and set himself to speak pleasant things to every man he met! Nay, in his own home he brooked the reproaches of slaves and handmaids in order to reach at last the goal of his desires. Ajax, on the contrary, with his proud spirit, would have died a thousand deaths rather than suffer such indignity. These considerations teach us that every one should appraise and regulate his own character without trying if another man's will fit him: that fits a man best which is most his own. 114. Let each one then study his own nature and be a strict judge of his merits and defects. We ought surely to have as much sense as actors who choose not the best pieces but those most suited to their powers. An actor with a fine voice appears in the Epigoni or the Medus, another will choose the Melanippe or the Clytemnaestra to exhibit his action; Rupilius, whom I remember, always played in the Antiopa, Aesop rarely in the Ajax. I ask you, if an actor observes this decorum on the stage, shall a wise man neglect it in the drama of life? Our aptitudes, I repeat, will be our best guide in choosing a career. But, if fate should ever thrust us aside into some

uncongenial occupation, we should grudge no pains, thought or effort to acquit ourselves, if not with distinction, at least without discredit, and rather endeavour to avoid defects than to attain to virtues which nature has placed beyond our reach.

XXXII.—115. To these two characters may be added a third which fate or chance imposes on us: there is indeed a fourth which we deliberately assume. Royalty and command, rank and office, wealth and influence, and the opposite conditions, depend on fortune or on circumstances: but the part that we are to play in the world is the result of our own free choice. 116. Thus one man turns to philosophy, another to civil law, a third to eloquence, and we have even our favourite virtues. But those whose fathers or ancestors have distinguished themselves in some particular sphere commonly strive to carry on the noble traditions of their family. Thus Q. Mucius, the son of Publius, was an eminent jurist, and Africanus, the son of Paulus, a great general. Some men superadd distinction of their own to that which they have inherited from their fathers. The same Africanus crowned his martial glory with the renown of the orator, and Timotheus, the son of Conon, who, as a soldier, was not inferior to his father, enhanced his reputation by his ability and culture. Other men quit the beaten track and follow a path of their own, and here aspiring men of

humble origin achieve the greatest success. 117. These are the considerations we must keep in view while investigating the nature of decorum; but first of all we have to decide what we are to do and what manner of men we wish to be—the most difficult problem in the world. For it is in early youth when the judgment is most feeble that each one adopts the profession that attracts him most. He is thus committed to some definite course of life before he is fit to judge which is the best. 118. According to Prodicus, as cited by Xenophon, Hercules in his early youth, the period set apart by nature for choosing a path of life, went out to a lonely spot and sitting down there with two paths in view, the path of Pleasure and the path of Virtue, for a long time earnestly deliberated which it was better to follow. This may have happened to Hercules "sprung from the seed of Jove," but for us it is impossible. For we all copy the models we happen to choose and feel constrained to adopt their tastes and pursuits. But for the most part we are so imbued with the principles of our parents that we naturally fall into their manners and customs. Some men are swept away by the current of popular opinion, and the ideals of the multitude are their highest ambition; others, whether through good fortune or natural ability, pursue the right path without parental instruction.

XXXIII.—119. It rarely happens that men who

possess eminent ability or extraordinary learning or culture, or even unite these two advantages, have the leisure to deliberate on the choice of a career. The question turns on the disposition and capacity of the individual. I have already said that we must study our own nature in order to discover what is decorous in particular actions; how much more imperative is such a precaution when we are ordering our whole life, if we desire to maintain a consistent character and never falter in our duty. 120. In this inquiry Fortune next to Nature has the most powerful influence. They both demand our attention but Nature has the stronger claim; she is in truth so much more firm and steadfast, that in conflict with Fortune she is like a goddess contending with a mortal. If, then, a man has chosen some mode of life adapted to his nature—I mean his better nature —let him persevere, for that is his duty, unless he find that he has blundered in his choice. If he has erred—and error is possible—he must change his habits and pursuits. If circumstances favour, the change will be attended with less trouble and discomfort: otherwise, he must retrace his steps with care and caution, as wise men hold that when a friend has lost his charm and forfeited our esteem the bonds of affection should be gradually untied rather than suddenly cut asunder. 121. His career once altered, he should endeavour to show that he

has acted with wisdom. I said above that we ought to follow the example of our forefathers. The rule has two exceptions. Never copy their vices; and never seek to emulate their virtues, if Nature has placed them beyond your reach. Thus the son of the elder Africanus was too infirm to rival his glory, while the son of Paulus whom he adopted walked in his father's footsteps. If then you have not the talent to become a pleader, a statesman, or a general, you should at least practise the virtues that lie within your powers, such as justice, honour, liberality, moderation, self-command; and thus your defects will be less conspicuous. The noblest heritage, the richest patrimony a father can bequeath to his children is a reputation for virtue and noble deeds. To tarnish his good name is a sin and a crime.

XXXIV.—122. Since our duties vary at every stage of life, and some are peculiar to the young, others to the old, it is necessary to explain the distinction in a few words. It behoves a young man to respect his elders and choose the best and most trusted among them to uphold him with their counsel and authority; for the folly of youth must needs be ordered and directed by the wisdom of age. Above all the young should be restrained from passion, and their bodies and minds inured to toil and endurance, that they may be ready one day to put forth their energies in the duties of war and of peace. Even

when they unbend and give themselves to enjoyment they should guard against excess and remember the dictates of modesty : and the task will be more easy if in pleasure as in business they do not shun the company of men of riper years. 123. Old men, on the other hand, as they become less capable of physical exertion, should redouble their intellectual activity, and their principal occupation should be to assist the young, their friends, and above all their country, with their wisdom and sagacity. There is nothing they should guard against so much as languor and sloth. Luxury, which is shameful at every period of life, makes old age hideous. If it is united with sensuality, the evil is two-fold. Age thus brings disgrace on itself and aggravates the shameless licence of the young. 124. It may not be irrelevant to speak of the duties of magistrates, of private citizens, and of foreigners. It is incumbent on the magistrate to realise that he represents the state and that he is bound to uphold its dignity and credit, to guard the constitution, and to dispense justice with an even hand, remembering that these things are sacred trusts committed to his charge. It behoves a private citizen to live on equal terms with his fellows, and not to cringe and grovel or to hold his head too high, and in public affairs to support a peaceful and honourable policy. Such are the qualities we look for in the model citizen. 125. As for the foreigner

and the resident alien, it is his duty to mind his own affairs, and not to pry into the affairs of others or meddle in the politics of a country with which he has no concern. These are substantially the duties that we shall find to be incumbent on us when we inquire what is decorous and what is appropriate to particular characters, circumstances, and periods of life. In every purpose and in every action there is nothing more decorous than a steady and consistent demeanour.

XXXV.—126. The second kind of decorum is seen in our words and deeds and in the aspect of the body whether in motion or at rest. It consists of beauty, harmony, and taste, conceptions more easily understood than expressed. These three qualities again connote the desire to please those with whom we live and the wider circle of our fellow-citizens. I will therefore say a few words on this subject. In the first place, observe the care which Nature herself has bestowed on the construction of our body. She displays to view the face and all those parts the sight of which is decent, but has covered up and concealed the organs designed for the natural functions as unsightly and offensive. 127. Here our sense of shame follows the subtle contrivance of Nature. Following her example all healthy-minded men conceal these organs and their functions, and it is even thought indecent to mention things which are not

wrong provided they be done in secret. It is only the publicity of these acts and obscenity of language that constitute immodesty. 128. I have no patience with the cynics or their Stoic rivals who sneer at modesty and scout the idea that it is right to speak of actions that are immoral, but outrageous to mention others that are innocent in themselves. Robbery, theft, adultery, are wrong, but it is not indecent to speak of them; it is right to beget children, but obscene to mention it; with these and similar arguments they attack the principle of modesty. As for us, we ought to follow Nature and shun everything that shocks the eye or the ear. Whether we stand or walk, whether we sit or lie, our whole demeanour and all our looks and gestures should be governed by decorum. 129. Here there are two extremes to be avoided, effeminate languor and boorish coarseness. We cannot admit that the laws of decorum are binding on the actor and the orator, but are indifferent to us. Theatrical tradition has carried the laws of modesty so far that an actor never appears on the stage without a girdle for fear of exposing his person and shocking the spectators. In our country it is not the custom for an adult son to bathe with his father or a father-in-law with a son-in-law. It is our duty, I repeat, to obey these laws of modesty especially as Nature herself is our teacher and guide.

XXXVI.—130. There are two kinds of beauty. The first is grace, the attribute of woman; the second is dignity, the attribute of man. Therefore shun all foppery and affectation. If our manners recall the palaestra or the stage they will be offensive and ridiculous; they are only admired when they are simple and natural. The beauty of the face depends on the complexion, and the complexion is the result of exercise. The care of our person should not be carried to the extreme of obtrusive refinement; it will suffice if we are free from rough and unmannerly neglect. The same principle applies to our dress; here, as in most things, moderation is best. 131. When we are out walking we must not be so slow and languid as to suggest a religious procession nor must we hurry so fast as to put ourselves out of breath and disturb our looks and features; for these are sure symptoms of want of balance. Still more earnestly should we endeavour to keep our emotions in their natural state of repose; and we shall succeed in the effort if we are proof against excitement and depression and intent on the maintenance of decorum. 132. The operations of the mind are of two kinds; some are connected with thought, others with appetite. Thought is employed in the discovery of truth, appetite impels to action. Let us strive then to employ our thoughts on the noblest objects and to bring our appetites under the sway of reason.

XXXVII.—Speech is a great power in the world. It is of two kinds, formal discourse and conversation. Formal discourse is appropriate to judicial argument and to political and deliberative orations; conversation finds its natural place in social gatherings, learned discussions, and in friendly reunions and banquets. There is a science of rhetoric, and I am inclined to think a science of conversation possible though none exists. The demand for masters creates the supply, and though the world is full of students of rhetoric, there are neither students nor masters of conversation. Still the rules of rhetoric are equally applicable to conversation. 133. Since the voice is the organ of speech, we should try to make it clear and pleasant. These qualities, it is true, are natural gifts, but the first may be improved by practice, the second by the imitation of calm and articulate speakers. There was nothing about the two Catuli to make you think they possessed a fine literary sense; for the culture they had was nothing extraordinary, and yet it was thought they spoke Latin with the greatest purity. Their pronunciation was agreeable, the sounds were neither mouthed nor minced, obscure nor affected; and they spoke without effort, yet without monotony or excessive modulation. The diction of L. Crassus was more copious and not less brilliant, but the eloquence of the Catuli ranked as high as his. In wit and humour Caesar,

the brother of the elder Catulus, was the first speaker of his time; even at the bar his easy conversational style surpassed the laboured speeches of his rivals. If, then, we aim at decorum in everything we do, we should strive to perfect ourselves in all these qualities. 134. Forming our conversation on the admirable model of the disciples of Socrates, let us put forward our opinions in an easy tentative way and not without a spice of humour. Above all, we should never monopolise the conversation, but allow every one in turn to have his fair share. First of all it is necessary to consider the subject, and, whether it be grave or gay, let our language correspond. Again it is important not to betray any defect of character, such as the malice of the slanderer who delights in attacking the absent either in jest or with the serious purpose of covering them with abuse and contumely. 135. Conversation generally turns upon family affairs, politics or learning and culture. These are the subjects to which we must endeavour to bring it back if it has drifted into another channel, but we must always study the company; for tastes differ, and nothing pleases all men at all times or to the same degree. It is well to mark the moment when the subject palls and to end as we began with tact.

XXXVIII.—136. The sound principle, that in all our conduct we should be free from passion or wild irrational feeling, ought naturally to govern our con-

versation. Let us betray no symptom of anger, or intense feeling, or of apathy, listlessness, or similar defects, and endeavour to exhibit respect and consideration for those with whom we converse. If at times reproof is required, it may be necessary to speak in a louder tone and in stronger language and to assume the appearance of anger. But like the cautery and the lance, that is an extreme measure which we should seldom and reluctantly employ and only as a last resource. Anger itself we must put far away, for with it we can do nothing right or well-advised. 137. Often it will suffice to administer a gentle, but calm, reproof and to exhibit sternness without insolence. Nay more, let us show that even the severity of our censure is only intended for the good of the offender. Again, in the quarrels we have with our bitterest enemies, it is proper to stifle our feelings and maintain our composure whatever insults may be offered to us. If we are under the dominion of excitement we lose our balance and forfeit the respect of the company. Another offence against decorum is to boast of oneself, especially without ground, and to expose oneself to derision by playing the "Braggart Captain".

XXXIX.—138. Since I am discussing decorum in all its phases—that is at least my purpose—I must also explain what kind of house I consider appropriate for an eminent public man. As a house is built for use the plan should correspond; but at the same

time comfort and elegance ought to be studied. Cn. Octavius, the first consul of that name, distinguished himself by building on the Palatine a splendid and imposing mansion. All Rome rushed to see it, and it was thought to have won for its obscure owner the votes which raised him to the consulate. Scaurus demolished the house and built with the materials a wing to his own. Thus Octavius was the first of his family to confer upon his house the honour of the consulate, while Scaurus, the son of a great and illustrious man, enlarged the house but brought to it not only political defeat but also disgrace and misfortune. 139. The house should not constitute, though it may enhance, the dignity of the master; let the master honour the house, not the house the master; and as in all things we should think of others as well as of ourselves, a distinguished citizen must have a spacious mansion in which to receive his numerous guests and crowds of men of every condition. A palace only brings dishonour if solitude reigns in its noble halls which once were full of life in the days of another master. How grievous to hear the passers-by exclaim: "Here's the old house, but where's the old master?" and this, alas, is but too true of many houses in these times. 140. Guard against extravagance and excessive display, especially if you are building a house for yourself. The mere example is mischievous. For men love to copy the

foibles of the great. How few have rivalled the virtue of Lucullus, how many the splendour of his mansions! Never go to excess, but let moderation be your guide not only in your house but in regard to all the necessities and comforts of life. But I must pass from this subject.

141. Whatever you undertake, there are three rules to be observed. In the first place, it is necessary to subject appetite to reason, for that is the surest means of fulfilling your duty; again, you must estimate the importance of the object you wish to accomplish that the effort you bestow upon it may be neither greater nor less than the case demands. Finally, observe moderation in all that concerns the aspect and dignity of a gentleman; and moderation is best attained by observing that decorum of which we have been speaking and never transgressing its limits. But the most important of these three rules is to subject appetite to reason.

XL.—142. I have next to treat of order and opportunity in our actions. These two duties are comprehended in the science which the Greeks call εὐταξία, not the εὐταξία which we translate "modestia," a term connoting "modus" or moderation, but the εὐταξία by which we understand the observance of order. Εὐταξία in this sense which we may also call "modestia," is defined by the Stoics as the science of accurately disposing our words and deeds. Thus

order and disposition appear to have the same sense: for they define order as the disposition of things in their fit and proper places. By the place of an action they mean its fitness in point of time; it is called in Greek εὐκαιρία in Latin *occasio*. Consequently "modestia" in this sense is the science of doing the right thing at the right time. 143. Prudence, of which I spoke at the outset, may also be defined in the same way: but it is self-command, temperance, and similar virtues that concern us here. The constituent parts of prudence were described in their proper place; here I have to state the elements of those virtues which have detained us so long, I mean the virtues which relate to sympathy and the approbation of those with whom we live. 144. We must therefore apply such order to all our actions that they may harmonise and balance like the parts of a well-ordered discourse. How shameful and scandalous it is to interrupt a serious conversation with frivolous after-dinner talk. You may remember the happy rejoinder of Pericles. He and Sophocles, as colleagues in command, had met for the transaction of common business; just then a handsome boy passed, and Sophocles exclaimed: "What a comely youth, Pericles!" Pericles replied: "A general should control his eyes as well as his hands". Yet, if Sophocles had said this at an inspection of athletes, there would have been no fault to find. Such is the importance

of time and place. If a man while travelling or taking a walk should rehearse a case he is going to plead or become absorbed in some other subject, no one would blame him, but if he did this in society he would be considered ill-bred, because ignorant of the art of timing his actions. 145. Flagrant breaches of manners, such as singing in the forum or similar eccentricities, are so obvious as to require no special reproof or precept; but petty faults which often pass unheeded call for greater vigilance. As an expert detects in the lyre or the pipe the slightest deviation from the true tone, so in our life we should avoid discord with the greater diligence, since the harmony of our actions is more noble and more beautiful than the harmony of sounds.

XLI.—146. As a musical ear detects the slightest variations of tone in the pipe, so the keen and vigilant observer of moral defects will often draw important conclusions from trifling circumstances. If we watch the glance of the eye, the expansion or contraction of the eyebrows, the marks of sorrow or joy, laughter, speech or silence, the raising or lowering of the voice, and other things of the kind, we shall easily judge whether they are decorous or jar with duty and nature. And it will not be unprofitable to study the expression of the emotions in others, that we may ourselves avoid what we find to be indecorous in them. Alas, we see the sins of others better than

our own! This is why a master most easily corrects his pupils by mimicking their defects. 147. In a moral dilemma it is prudent to consult philosophers or even sagacious men of the world and to ask their advice on particular points of duty. For most men drift with the current of their instinct. But we must consider not only what our adviser says but also what he thinks and what are his grounds for thinking as he does. Painters, sculptors, and even poets like to submit their works to the criticism of the public in order to correct what the majority condemn, and they endeavour by themselves and with the aid of others to find where the defect lies; in like manner we must often follow the opinion of others, whether we act or refrain, alter or correct. 148. Tradition and civil institutions are precepts in themselves, so that special precepts are unnecessary for the actions which they govern, and it would be a mistake to suppose that we may claim the right of a Socrates or an Aristippus to act or speak in defiance of usage and convention: eccentricity is the privilege of genius. As for the doctrine of the Cynics, it must be absolutely scouted as inimical to modesty, without which there can be nothing right or honourable. 149. Further, it is our duty to respect those patriotic citizens who have proved their strength in great and noble works, and have loyally served their country, and to honour them

as much as if they were invested with some public office or military command. It is our duty to reverence old age, to defer to the magistrates, and to make a distinction in our treatment of countrymen and foreigners, and in the case of foreigners to consider whether they have come in a private or a public capacity. Finally and in a word, let us respect, uphold, and maintain the great family of the human race.

XLII.—150. Public opinion divides the trades and professions into the liberal and the vulgar. We condemn the odious occupation of the collector of customs and the usurer, and the base and menial work of unskilled labourers, for the very wages the labourer receives are a badge of slavery. Equally contemptible is the business of the retail dealer, for he cannot succeed unless he is dishonest, and dishonesty is the most shameful thing in the world. The work of the mechanic is also degrading; there is nothing noble about a workshop. The least respectable of all trades are those which minister to pleasure, as Terence tells us, "fishmongers, butchers, cooks, sausage-makers". Add to these, if you like, perfumers, dancers, and the actors of the *ludus talarius*. 151. But the learned professions, such as medicine, architecture, and the higher education, from which society derives the greatest benefit, are considered honourable occupations for those to whose

social position they are appropriate. Business on a small scale is despicable ; but if it is extensive and imports commodities in large quantities from all the world, and distributes them honestly, it is not so very discreditable ; nay, if the merchant satiated, or rather satisfied, with the fortune he has made, retires from the harbour and steps into an estate, as once he returned to harbour from the sea, he deserves, I think, the highest respect. But of all sources of wealth farming is the best, the most agreeable, the most profitable, the most noble. I have spoken of the subject at length in my Cato Major from which you may supplement this chapter.

XLIII.—152. I think I have said enough to show how our duties are derived from the four divisions of honour. But it is often necessary to compare and contrast two honourable courses in order to estimate their relative importance—a point omitted by Panaetius. Honour in its widest sense springs from four sources : prudence, fellow-feeling, fortitude, and temperance, and it is often necessary to compare these virtues in order to determine our duty. 153. Now it is admitted that the duties which are founded on the social instinct are more in harmony with nature than those which are derived from prudence, and this opinion may be confirmed by the following instance. If it were given to a sage to live in perfect affluence and ease absorbed in the study of the

highest problems of philosophy, life would be a burden to him, were he condemned to isolation and never saw the face of man. The first of all the virtues is speculative wisdom which the Greeks call σοφία. We attach a different sense to φρόνησις or practical wisdom, which is the science of distinguishing what to pursue and what to avoid. But that which I called the highest wisdom is the science of things divine and human, and it is concerned with the relations of men with each other and with the gods. If that is the noblest virtue, which it certainly is, then the duty connected with the social instinct necessarily takes precedence of all others. Moreover the study and contemplation of the universe would seem stunted and imperfect if it did not result in action. Action is chiefly employed in protecting the interests of our fellow-men; it is therefore indispensable to society: and consequently holds a higher rank than mere speculation. 154. Such is the opinion of the noblest men and it is attested by their conduct. Who, I ask, could be so rapt in the investigation of the mysteries of the universe, so absorbed in the contemplation of the most sublime objects, that if suddenly apprised that his country, his father, or his friend, was in danger or distress, he would not abandon all his studies and fly to the rescue, even if he imagined he could number the stars and measure the immensity

of space? 155. From these arguments it is manifest that the duties prescribed by justice are superior to those which are connected with abstract studies, for they concern the welfare of humanity which should be nearest to the heart of every man.

XLIV.—Nevertheless many men have devoted their lives to speculation without renouncing the duty of promoting the interests of society. Philosophers teach men to be good citizens and benefactors of their country. Thus Epaminondas of Thebes was the pupil of Lysis the Pythagorean, and Dio of Syracuse the pupil of Plato, and I could cite many instances of the kind; and any service I myself may have rendered to my country I ascribe to those masters who trained and equipped me for public life. 156. The influence of these great men, whether moral or intellectual, is not conveyed by the living voice alone; it is transmitted to posterity in their written works. They neglect no subject that bears on legislation, morality, or political science; indeed it may be said that it is to our affairs they devote their leisure. Thus we see that even scholars and philosophers apply their wisdom and insight principally to the advantage of their fellow-men. Hence it follows that eloquence united with wisdom is a more precious gift than the highest wisdom devoid of eloquence, because reflection is centred in itself, while eloquence

embraces those with whom we are united by common interests. 157. As bees do not swarm for the purpose of making the comb, but make the comb because they are gregarious by nature, so human beings, endowed with a still stronger social instinct, think and act in sympathy. Speculation would therefore seem forlorn and barren of useful results if it were not conjoined with the social virtue which works for the maintenance of society, that is, the great brotherhood of the human race. The same may be said of fortitude. If it had no relation to human society it would be but a brutal and savage thing. From this we conclude that the social virtues are superior to merely speculative studies. 158. The theory is false, that society owes its existence to necessity, or the inability of man to satisfy his natural wants without the aid of others, that, if everything essential to a life of comfort were supplied to us as if by a magic wand, every man of intellect would retire from active work and devote his undivided energies to study and learning. Far from that, he would shrink from isolation and look for some one to join in his pursuits, his desire would be to teach and learn, to hear and speak. Consequently every duty tending to the preservation of society is to be preferred to that which consists in abstract study.

XLV.—159. It may be necessary to inquire

whether this sense of interdependence, which is the deepest feeling in our nature, should also be preferred in every case to moderation and self-command. I think not. For some things are so repulsive, others so criminal, that a wise man could never do them even to save his country. Posidonius enumerates many crimes of the kind, but they are either so atrocious or so obscene that it seems wrong even to mention them. No one, I repeat, will commit such crimes for the sake of his country; nor will his country demand such a sacrifice. But the case is simplified by the fact that circumstances cannot arise in which the state will profit by the dishonour of a wise man. 160. We may therefore regard it as settled, that in discriminating between several duties we should give the preference to those which are connected with the social instinct. Moreover, knowledge and prudence will result in deliberate action. Consequently deliberate action stands on a higher plane than prudence without action. So much for this subject. I have now cleared the ground so that it should not be difficult to discover which duty is to be preferred in particular circumstances. Even in our social relations some duties are more important than others. We are beholden first to the immortal gods, next to our country, then to our parents, and finally to the rest of men in a descending scale. 161. This short discussion may suffice to show that men are often

in doubt not only whether an action is right or wrong, but which of two honourable courses has the higher moral worth. This subject, as I said, has been omitted by Panaetius. But I must now proceed.

SECOND BOOK

I.—1. I think, Marcus, I have fully explained in the preceding book how all our duties are derived from honour, or rather from virtue in its widest sense. I have now to treat of the duties which pertain to influence and wealth and the necessities and comforts of life. (In dealing with these subjects, as I have said, we are often met with the question: what is expedient, what inexpedient, and how we can settle the degrees of expediency.) I now proceed to speak of these duties, but I shall first say a few words in vindication of my method and design.

2. Though my works have inspired many with the love of reading and even of writing, I sometimes fear that certain worthy people detest the very idea of philosophy and wonder that I spend so much time and trouble on it. So long as our country was governed on constitutional principles I consecrated to her service all my efforts and all my thoughts. But when she fell under the rule of a despot and no scope was left for statesmanship or personal influence, and finally when I had parted with my distinguished

colleagues in the government, I did not surrender to melancholy, which would have overwhelmed me had I not struggled against it, nor on the other hand to sensual pleasure unworthy of a philosopher. 3. It would have been well if our republic had been firmly established on its new foundation and if we had not fallen into the hands of a party whose cry is not for reform but for revolution. I should then have devoted more attention to public speaking than to writing, as my custom was while the republic still endured, and I should not have composed a moral treatise like the present but committed my orations to writing as I have often done ere now. But when the republic, the centre of all my care, thought and effort, was now no more, my voice, alas, was silenced in the forum and the senate. 4. Still my mind could not be idle; I therefore thought that my noblest consolation in trouble was to return to philosophy, the study of my early youth. As a young man I had given much time to the subject for the purpose of improving my mind; but when I took office and threw myself heart and soul into the public administration, I could only devote to study the leisure that remained after I had served my friends and my country; and that was entirely spent in reading; I had no time to write. II.—5. Yet despite the greatest misfortunes I flatter myself I have done some good in writing on subjects of profound interest,

hardly known among our countrymen. What, in Heaven's name, is more desirable than wisdom, what more excellent, what is better for man or more worthy of his nature? Those who aspire to it are called philosophers, and philosophy, when translated, means nothing else than the love of wisdom. Now, according to the definition of the ancient philosophers wisdom is the science of things divine and human and the causes on which they depend. If there is any man who blames the love of such a study I hardly see what he can find to praise. 6. Do you look for amusement or relaxation? Then what can compare with the pursuits of those who are always examining some subject or other that makes for a good and happy life? Do you think of character and virtue, then this is the method of attaining them or there is none. To assert that, though there is invariably a science of things even of small importance, there is no science of the highest of all, is to speak without due reflection and to blunder in a matter of the greatest gravity. Besides, if there is a science of virtue, where is it to be found if you leave these studies out of the question? But that is a point which I discuss with greater care in exhortations to the study of philosophy such as are contained in another of my works. All that I wished to explain here was my motive in resorting to this particular pursuit after I was stripped of my public functions.

7.—Even philosophers and scholars challenge me with the question, whether as a sceptic I am quite consistent in expounding as I do the principles of duty, or indeed of any other subject. I wish they really understood the doctrines of our school. It is not our opinion that the mind wanders in the dark and has no fixed principles. What sort of reasoning, nay, what sort of life would be possible if all the principles of thought and action were abolished? That is not a fair picture of us; we only differ from other schools in describing things as probable or improbable which they call certain or uncertain. 8. What should prevent me from embracing any theory that appears to me probable and rejecting the contrary; why should I not avoid dogmatism and presumption which are so remote from the true spirit of philosophy? All opinions, moreover, are contested by our school on the ground that this very probability could not emerge without a comparative estimate of the conflicting arguments. This whole question is, I think, pretty thoroughly explained in my Academics. As for you, my dear son, though you are engaged in the study of an ancient and celebrated system of philosophy under the guidance of Cratippus, a worthy rival of the founders of his school, yet I did not wish you to remain ignorant of our doctrines which are so closely allied to yours. But I must proceed.

III.—9. I have now laid down five principles for

the investigation of duty. Two of these have to do with decorum and honour, two with external advantages, such as wealth, position and influence, while the fifth holds the balance when the others seem to conflict. I have finished the subject of honour and I hope it is now clear to you. I have next to deal with what is commonly called the expedient. In regard to this word the popular mind has stumbled and gone astray. By degrees it has come to the point of separating honour from expediency and assuming that honour was possible apart from expediency and expediency apart from honour, an error fraught with the most disastrous consequences to society. 10. Certain philosophers of the highest authority make a theoretical distinction between these three conceptions though in themselves they are inseparable, but I confess they do it on strict and conscientious principles. (They hold that whatever is just is likewise expedient and that what is honourable is also just; consequently whatever is honourable is at the same time expedient.) Unable to grasp this distinction men often admire the adroit and crafty, and identify wisdom with cunning. But they must be disabused of this error and brought round to the hope and the conviction that they can attain their objects by honourable designs and just conduct instead of by craft and cunning.

11.—Now the things that tend to the maintenance

of human life are partly inanimate, such as gold, silver, plants and the like, and partly living beings with their characteristic instincts and appetites. Of living beings some are rational, some irrational. The latter class includes horses, cattle and the other tame animals which serve by their labour to supply the wants and maintain the life of man. Rational beings are divided into two classes, gods and men. The gods are appeased by a pious and holy life; next to the gods men are most useful to one another. 12. A similar division may be made of things that are hurtful to man. But, as the gods are supposed to do no harm, philosophers leave them out of account and hold that man is the worst enemy of man. Even the advantages derived from inanimate things of which I have spoken are for the most part procured by our own energies and we should neither have possessed them without the application of labour and skill, nor enjoyed them without the aid of our fellow-men. Medicine, navigation, agriculture and the ingathering and storing of corn and other produce would not have been possible but for human agency. 13. This is no less true of the exportation of superfluities and the importation of necessities. In like manner the stones necessary for our use would not be quarried, nor iron, copper, gold and silver dug from the bowels of the earth without the labour of man's hand. IV.—What other power, I ask, could in the beginning have

furnished the human race with dwellings to protect them from cold and mitigate the discomforts of heat, or how could these dwellings have been restored after the ravages of storm, earthquake or time, had not men learned to look to one another for assistance? 14. Think, too, of aqueducts, canals, irrigation works, breakwaters, artificial harbours; is it not to the hand of man that we owe them all? From these and many other cases it is manifest that without human skill and energy we could never have enjoyed the benefits and advantages which are derived from things without life. Again, without man's help how could animals be utilised and made to serve our convenience? As men were the first to discover the utility of the various animals, so at this day without their agency we could not pasture, break in, or protect animals or turn them to account at the proper season, nor could we kill noxious animals and capture those that are of use. 15. Why should I enumerate the multitude of arts without which life would hardly have deserved the name? Where could the sick find relief or the strong amusement, how could comfort or even existence be possible, unless we had so many arts to minister to our wants? These are the sources of civilisation which separates mankind by so wide a gulf from the savage state of the brutes. It was the concourse of men that made it possible to build and people cities: then laws and customs were

established, rights were fairly apportioned, and a definite social system was adopted: gentleness and modesty followed: life became more secure; we gave and we received, and by such exchange of possessions and advantages we succeeded in supplying all our wants.

V.—16. I have dwelt on this subject longer than is necessary. Is not the truth self-evident on which Panaetius expatiates that no general in the field, no statesman at home, could have performed great or useful actions without the zealous support of other men? He cites Themistocles, Pericles, Cyrus, Agesilaus, Alexander, and asserts that without assistance they could not have achieved so great success. But in so obvious a case testimony is superfluous. Moreover, as we derive great advantages from the co-operation and sympathy of our fellow-men, so there is no calamity too terrible for one man to bring upon another. There is extant a book on the destruction of human life by the great and eloquent Peripatetic Dicaearchus. After enumerating the different causes of death, such as inundation, epidemic, desolation, the sudden irruption of wild beasts which appearing in vast numbers have sometimes swept away entire tribes, he proves by comparison how many more men have been destroyed by the violence of their fellows, that is, by war or revolution, than by all other calamities put together.

17. Now as it is incontestable that men do the greatest good and the greatest harm to one another, I maintain that it is the peculiar function of virtue to win the hearts of men and attach them to our interests. It is the business of the mechanical occupations to utilise inanimate things and to employ and manage the lower animals for the benefit of man, in like manner we can only enlist in our cause the prompt and ready service of our fellow-men if we surpass them in wisdom and virtue. 18. Indeed virtue as a whole may be said to centre in three things. The first is to discover the essential nature of everything, its relations, consequences, origin, and cause; the second to restrain the passions or *πάθη* as the Greeks call them, and to subject the appetites, which they call *ὁρμαί*, to the control of reason; the third is to deal with those who surround us in a moderate and sagacious spirit in order that with their support we may satisfy our natural wants in the fullest measure, repel attack, and visit our aggressors with such retribution as justice and humanity permit.

VI.—19. I shall presently explain the means of winning and retaining the devotion of our fellow-men, but I must preface my explanation with another remark. The powerful influence which fortune wields for good or for evil is obvious to all. If she sends a favouring breeze we are wafted to the

desired haven, if an adverse blast we are dashed upon the rocks. It is surely that fortune assails us with the hurricanes, tempests, shipwrecks, catastrophes and conflagrations of the material world, or the stings, bites, and attacks of beasts. 20. These, I say, are exceptional calamities. But the destruction of armies, as of three which perished in recent times and many others, the defeat of generals, like that which but yesterday befel a great and remarkable man, the hatred of the populace, a frequent cause of the banishment, degradation or voluntary exile of patriotic citizens, and on the other hand prosperity, civil and military distinctions, victories—all these things, whether good or evil, depend indeed on fortune but are ultimately determined by human agency. The influence of fortune being clearly understood, I go on to explain the means of winning the devotion of men and enlisting it in our service. If this chapter prove tedious, consider the importance of the result and then it may even seem too short. 21. In contributing to the material or social advancement of others, men are influenced by various motives. They are prompted by kindness when they have reason to love a man or by respect if they admire his character and think him worthy of the most brilliant success; or they trust a man and believe he has their welfare at heart, or sometimes they dread his power or they look for some advan-

tage, as kings or demagogues do, when they display their munificence, or finally they are tempted by bribery, the basest motive of all and the most degrading both to those who are swayed by it and to those who employ it as their instrument. 22. It is a bad case when money takes the place of moral influence. Nevertheless it is sometimes an indispensable auxiliary, but before describing how it is to be employed, I shall first speak of the means which are more closely allied to virtue. Various motives induce men to submit to the rule and authority of another. They are moved by affection, gratitude, respect for high rank, the hope of advantage, the fear of coercion; or they are tempted by the prospect of reward and by fair promises, and in the last place they are openly bribed as we have often seen in our own republic. VII.—23. Of all the means of maintaining power, love is the best, the worst fear. The words of Ennius are admirable: "He that is feared is hated, and they that hate a man wish him dead".

That no power can withstand the hatred of the people we lately realised as perhaps no generation before us. Its fatal effect is seen not only in the tragic end of the tyrant whose yoke our land endured, nay to this hour endures even after his death, but in the fate of all despots who seldom escape the assassin's hand. Fear is a poor guardian

desired haven, if an adverse blast we are dashed upon the rocks. It is rarely that fortune assails us with the hurricanes, tempests, shipwrecks, catastrophes and conflagrations of the material world, or the stings, bites, and attacks of beasts. 20. These, I say, are exceptional calamities. But the destruction of armies, as of three which perished in recent times and many others, the defeat of generals, like that which but yesterday befel a great and remarkable man, the hatred of the populace, a frequent cause of the banishment, degradation or voluntary exile of patriotic citizens, and on the other hand prosperity, civil and military distinctions, victories — all these things, whether good or evil, depend indeed on fortune but are ultimately determined by human agency. The influence of fortune being clearly understood, I go on to explain the means of winning the devotion of men and enlisting it in our service. If this chapter prove tedious, consider the importance of the result and then it may even seem too short. 21. In contributing to the material or social advancement of others, men are influenced by various motives. They are prompted by kindness when they have reason to love a man or by respect if they admire his character and think him worthy of the most brilliant success; or they trust a man and believe he has their welfare at heart, or sometimes they dread his power or they look for some advan-

tage, as kings or demagogues do, when they display their munificence, or finally they are tempted by bribery, the basest motive of all and the most degrading both to those who are swayed by it and to those who employ it as their instrument. 22. It is a bad case when money takes the place of moral influence. Nevertheless it is sometimes an indispensable auxiliary, but before describing how it is to be employed, I shall first speak of the means which are more closely allied to virtue. Various motives induce men to submit to the rule and authority of another. They are moved by affection, gratitude, respect for high rank, the hope of advantage, the fear of coercion; or they are tempted by the prospect of reward and by fair promises, and in the last place they are openly bribed as we have often seen in our own republic. VII.—23. Of all the means of maintaining power, love is the best, the worst fear. The words of Ennius are admirable: "He that is feared is hated, and they that hate a man wish him dead".

That no power can withstand the hatred of the people, we lately realised as perhaps no generation before us. Its fatal effect is seen not only in the tragic end of the tyrant whose yoke our land endured, nay to this hour endures even after his death, but in the fate of all despots who seldom escape the assassin's hand. Fear is a poor guardian

of lasting power; love will keep it safe for ever. 24. Let tyrants exercise cruelty, as a master does towards his slaves when he cannot control them by other means: but for a citizen of a free state to equip himself with the weapons of intimidation is the height of madness. Though the constitution be crushed by the power of an individual, though the spirit of freedom be cowed, yet sooner or later they rise again and assert themselves in silent expressions of feeling or in the secret votes of the people. Freedom, if suppressed, only bites with keener fang. Let us then put away fear and cleave to love; love appeals to every heart, it is the surest means of gaining safety, influence and power; in a word, it is the key to success both in private and in public life. For men involuntarily fear those whom they intimidate. 25. With what agonies of terror must not the famous Dionysius the elder have been racked who dreading the barber's razor used to singe his hair with a burning coal! Think of the life Alexander of Pherae must have led! Historians tell us that he was devoted to his wife Thebe. Nevertheless on visiting her in her room after dinner he would actually bid a barbarian tattooed like a Thracian march before him with drawn sword. He also sent in advance some of his attendants to search her wardrobe and see that no weapon was concealed among her clothes. Unhappy man, to think a

branded barbarian more faithful than his own wife. He was not mistaken, for on the suspicion of infidelity she slew him with her own hand. Indeed no empire, however powerful, can long sustain the pressure of fear. 26. I may cite the fate of Phalaris whose infamous cruelty is without parallel in the history of the world. He did not fall by treachery like Alexander, whose fate I have just told; he was not slain by a handful of conspirators like our own last tyrant, but the people of Agrigentum rose against him with one accord. And I need hardly remind you that the Macedonians one and all abandoned Demetrius and espoused the cause of Pyrrhus, and that when the rule of the Lacedaemonians became oppressive they were suddenly deserted by almost all their allies who stood by as passive spectators of the disaster of Leuctra. VIII.—Though I prefer to draw my illustrations from the history of foreign countries rather than from our own, I will permit myself this observation. So long as the empire of the Roman people was founded not on injustice but on beneficence, war was waged in the interests of the allies or in the defence of the empire, its conclusion was marked by acts of clemency or such a measure of severity as circumstances demanded; kings, civilised nations and barbarous tribes found in the senate a haven of refuge; and the loftiest ambition of our governors and generals was to defend our provinces

and allies by fair and honourable conduct. 27. Our government could therefore have been more truly described as a protectorate of the world, than as an empire founded on force. Even before the time of Sulla we were gradually losing hold of our habitual policy, but after his victory we parted with it altogether; for after the terrible atrocities which he perpetrated on Roman citizens, we ceased to regard anything as unjust to our allies. He tarnished a righteous cause by an unrighteous victory. Planting in the forum a spear, the emblem of public auction, he sold off the effects of wealthy but respectable people who were, to say the least, his fellow-citizens, and yet he had the effrontery to assert that he was only selling his booty. After him came another tyrant who, gaining in an unholy cause a victory still more shameful, was not content to confiscate the property of individual citizens but involved in one common calamity entire provinces and countries. 28. After he had oppressed and ruined foreign tribes, we saw him carry in triumph a model of Massilia as if to prove to the world the loss of our empire and celebrate the conquest of a city without whose aid our generals never once triumphed in their campaigns beyond the Alps. I should here have adduced many other crimes committed on our allies if the sun had ever shone on anything more shameful. But our punishment is deserved. For

unless we had suffered many crimes to go unpunished, never would one individual have attained such absolute power. Though the tyrant of our times has few heirs to his wealth there are many to succeed to his wicked ambition. 29. Never will the seeds of civil war fail, so long as villains remember having seen and hope to see once more that bloody spear which P. Sulla brandished when his kinsman was dictator and again raised thirty-six years later in a more accursed cause. Another Cornelius Sulla was a clerk under the former dictator and under the latter a city quaestor. When such rewards are held out, it is evident that civil wars will never cease. Only the walls of our city now remain and even they dread the last desperate stroke; the republic, alas, we have lost for ever. To return to my subject, we have brought these disasters on our heads because we wish to be feared rather than loved and respected. If such retribution befel the tyranny of the Roman people, what must individuals expect? But since it is manifest how powerful is the influence of kindness, how feeble that of fear, I have next to explain the easiest means of gaining the respect, the confidence and the affection which we wish to enjoy. 30. We do not all stand in the same need of affection; for our object in life must in each case determine whether we want many friends or should be satisfied with a few. Faithful, loving and admiring friends

we certainly all require; it is the prime necessity of life. Here there is little difference between high and low, and both classes must cultivate friendship with almost equal zeal. 31. We may not all require in equal measure honour, fame and popularity, yet the possession of these advantages will be of particular value to us in the acquisition of friends.

IX.—I have spoken of friendship in another essay, entitled "Laelius". I have now to speak of glory. Though I have written a work in two books on the subject, I must glance at it here, because it is a valuable aid in the conduct of important affairs. Supreme and perfect glory consists of three things: the love, the confidence and the mingled admiration and respect of the people. To put it plainly and concisely, the affections of the people are won by almost the same means as those of individuals. But there is another avenue to the hearts of the multitude, another means of stealing into the affections of the people. 32. Of the three sentiments I have just mentioned let us first consider affection and its laws. Affection is chiefly won by acts of kindness; or it is excited by kind intentions even though the outcome be disappointing; again the hearts of the people are strongly influenced by the mere character and reputation for liberality, beneficence, justice, honesty, and all the noble qualities that go to form the gentleman. For as that which we call the

honourable and decorous is pleasing in itself, attracts us by its inner nature and outward aspect, and is most conspicuous in the virtues I have named, we are compelled by Nature herself to esteem those in whom we believe these virtues reside. These are the most important causes of esteem; though I admit there may be others of less consequence. 33. In the next place, we shall obtain confidence, if we are supposed to unite prudence and justice. We trust in those who appear to have greater sagacity and foresight than ourselves and greater skill in unravelling difficulties and meeting emergencies; that is what the world considers practical and genuine prudence. We repose confidence in just, honest, and worthy men provided there is no suspicion of craft or malice about them; and we think ourselves justified in committing to them our lives, our fortunes and our families. 34. Of these two qualities justice inspires the greater confidence; of itself it is sufficient without the aid of prudence, but prudence without justice is of no avail. Take from a man his reputation for probity, and he is hated and suspected in proportion to his craft and cunning. In a word, justice combined with prudence will command all the confidence we can desire; justice without prudence will also be effective, but prudence will be impotent without the aid of justice.

X.—35. It may excite surprise that, despite the

unanimous opinion of philosophers and my own repeated contention that virtue is indivisible, I am now classifying its component parts on the assumption that justice can exist without prudence. My reply is that a degree of precision is employed in the exact investigation of abstract truth which is unnecessary in a treatise adapted throughout to the popular capacity. I therefore speak here like the people, calling one man brave, another good, a third prudent. In dealing with popular conceptions we have to use popular and familiar language. This was the practice of Panaetius. But I must return to my subject.

36. The third element of glory is, to be considered worthy of admiration and respect by our fellow-men. Men admire in general what appears to them great or what surpasses their ideas; and in particular they admire in any person the good qualities which they did not expect to find. Hence they worship and exalt to the skies those whom they believe to possess certain eminent and extraordinary virtues and regard with disdain and contempt those in whom they find no trace of ability, spirit, or energy. Not that they despise every one of whom they have a bad opinion. For when they find a man unscrupulous, slanderous, dishonest, and armed with all the weapons of injustice, they may not despise him but they think ill of him. Therefore, as I have said, their

contempt is directed against the good-for-nothing fellows of the proverb who have no capacity for work, no activity, no interest in anything. 37. On the other hand men worship those whom they consider pre-eminent in virtue, free from dishonour, and superior to the vices which others resist with difficulty. Those tempting tyrants, the pleasures of sense, tear most men away from virtue; and most men quail before the burning torch of pain: life and death, wealth and want, profoundly move the feelings of all the world. But when a man regards pleasure and pain alike with lofty indifference and throws himself with ardour into some great and noble cause, who would not admire the splendour and beauty of his character? XI.—38. This moral sublimity excites great admiration, but justice, the touchstone of worth, is rightly esteemed by the world as the noblest of all the virtues. For no one can be just who fears death, pain, exile and want, or who would sacrifice justice to escape these evils. Another admirable quality is indifference to money, and if we discover it in any one we think he has stood the ordeal of fire. Justice, then, fulfils the three fundamental conditions of glory; it procures affection, because it seeks the happiness of the greatest number, for the same reason it inspires confidence, and it awakens admiration because it regards with scorn and disdain the objects which most men passionately pursue.

39. In every walk of life we require the support of our fellow-men. Above all we must have friends to whom we may unbosom ourselves in familiar conversation, an advantage difficult to obtain, unless we are looked upon as honest men. Even the recluse and the man who lives a retired life in the country must have a character for justice; and that is all the more necessary as without such a character they can have no safeguards to protect them and will be exposed to a variety of wrongs. 40. Again, in buying and selling, hiring and letting, and in business transactions generally, justice is essential to success. In fact its influence is so powerful that even those who maintain themselves by wrong-doing and crime cannot live entirely without it. When a brigand takes anything from an accomplice by force or by fraud, his presence is no longer tolerated even in such a band of miscreants, and should the captain not distribute the spoil impartially, he would be killed or deserted by his comrades. Why, brigands are even said to have a code of laws which they must strictly observe. It was by his equitable distribution of the spoil that the Illyrian bandit Bardulis of whom we read in Theopompus gained so great power and the Lusitanian Viriathus even greater. For a long time Viriathus actually defied the armies and generals of Rome, till C. Laelius, surnamed the Wise, during his praetorship completely shattered the power of his

adversary and so quelled his spirit as to leave an easy victory to his successors. If then the influence of justice is so great as to stablish and strengthen the power of brigands, how potent must it be in a well-ordered state under the shelter of the law and its tribunals. XII.—41. Like the ancient Medes of whom Herodotus speaks, I think our forefathers founded the kingly office and raised to the throne men of high character in order to enjoy a just form of government. When oppressed by the strong, the weak would appeal to one man of eminent virtue who shielded them from wrong and establishing justice on a firm foundation governed high and low alike with impartial sway. The origin of law was identical with that of monarchy. 42. Men in all ages have aspired to equality of rights, for without such equality there would be no rights. If they attained their object through the justice and virtue of one man, they were satisfied; if unsuccessful, they invented laws which were designed to speak to all men at all times in one and the same voice. It is therefore evident that the choice of rulers was determined by their reputation for justice. If with this virtue they united prudence nothing appeared unattainable under their rule. We should, therefore, diligently practise justice both for its own sake—otherwise it is no justice—and because it will enhance our honour and glory.

As there is a science of accumulating wealth and of so investing it that it may meet our current expenditure on the necessaries and the luxuries of life, so there must be a method of acquiring glory and turning it to account. 43. Yet Socrates has a fine observation that the straight road, "the short cut," to glory is to strive to be that for which one would wish to pass. It is a delusion to suppose that enduring glory can be founded on dissimulation, vain ostentation, and studied words and looks. True glory strikes root and spreads, everything unreal soon falls like the blossoms, a lie cannot last. I could cite many examples on the one side and the other, but for the sake of brevity I shall confine myself to one family. The fame of Tiberius Gracchus, the son of Publius, will live while the memory of Rome endures, but his sons were scouted by loyal citizens in their lifetime, and since their death they have been ranked among those whose murder was no crime. He who would obtain true glory must therefore perform the duties which justice enjoins. These I have described in the preceding book.

XIII.—44. The surest way of seeming what we are is to be what we wish to be thought. But some rules on the subject may not be out of place. If a young man has a career of fame and distinction before him, whether that depend on his father's name as in your case, Marcus, or on some lucky chance, the eyes of

the world are turned upon him, his life and character are scanned; there can be no obscurity for him, a flood of light is turned upon his every word and action. 45. But if his youth be passed in the shade because of his mean and obscure origin, as soon as he reaches manhood he must set his mind on some great object and pursue it with unswerving zeal; and he will be the more confirmed in his resolution since the world instead of being prejudiced against the young, actually favours them. For a young man the passport to popularity is military distinction, by which many of our people signalised themselves in the olden time when wars were almost incessant. Your early years, however, have fallen upon a war in which the one side was distinguished for excess of crime, the other for excess of misfortune. But when Pompey placed you in command of a squadron of cavalry, you earned the applause of the great man and his army by your skill in riding and in throwing the javelin and in your manly endurance of all the hardships of a soldier's life. Alas! your fame has perished with the republic. The present treatise, however, does not concern you personally, it deals with the subject in general: so I must proceed. 46. As the work of the mind far surpasses the work of the hands, so the objects to which we apply our intellect and reason are prized more highly than those which exercise the powers of the body alone. The highest recommendation then

that a young man can have is self-command, filial affection, and goodwill to his kindred. But the easiest road to favourable recognition is to attach himself to great, wise, and patriotic men, for such a connection creates the impression that one day he will rival the models whom he has chosen for imitation. 47. When P. Rutilius was a young man, the influence of the family of P. Mucius contributed to his reputation for integrity and legal skill. As for L. Crassus, even in his early youth he had not to look to others for help, but gained the highest renown by conducting that glorious prosecution which is known to all the world, and at an age when a man might make a reputation as a student, this second Demosthenes showed himself in the forum a master of an art which without discredit to himself he might still have been studying in private. XIV.—48. Discourse may be divided into two kinds. The one is conversation, the other sustained oratory. The latter, which we call eloquence, is doubtless a better field for distinction, but as a means of winning favour a courteous and affable manner can hardly be overrated. We still possess letters from Philip to Alexander, from Antipater to Cassander, and from Antigonus to Philip. These three princes, who are among the wisest in history, enjoin their sons to gain the affections of the people by words of kindness and to humour their soldiers by friendly recognition. But

an impassioned discourse will rouse the enthusiasm of an entire nation. An eloquent and judicious speaker is held in high admiration and is supposed to possess exceptional insight and sagacity. If an oration is at once dignified and moderate, nothing can excite greater admiration, especially if the speaker is a young man. 49. Various careers are open to the orator, and in our own republic many young men have made a reputation by their speeches in the senate or before the people. But forensic oratory offers the best opportunity of distinction. It is of two kinds—the prosecution and the defence. Though the defence brings greater credit, the prosecution has often earned public approbation. I have just spoken of Crassus; M. Antonius in his youth was no less successful. It was in a prosecution too that the eloquent P. Sulpicius won his laurels when he put on trial that dangerous and turbulent citizen C. Norbanus. 50. Still you should rarely come forward as a prosecutor, and only in the public interest like the orators I have cited, or for revenge like the two Luculli, or to protect the oppressed, as I protected the Sicilians, and Julius the Sardinians in the case of Albucius. It was in another prosecution, that of M. Aquilius, that L. Fufius proved his talent. This is a thing to be done only once or at any rate not often: if you are compelled to prosecute again and again, you must do it as an act of homage to the republic,

for it is never wrong to punish her enemies: but you must set a limit. Only a heartless or a brutal man would often seek to endanger the life or the civil status of his fellow-citizens. It is at once dangerous to the person of the pleader and a blot upon his name to earn the title of prosecutor: that was the fate of M. Brutus, a man of high birth, and son of the eniment jurist. 51. Make it a rule never to prefer a capital charge against an innocent man; it is always a crime. What is so barbarous as to turn to the ruin and destruction of good men the weapon of eloquence which Nature has given us for the defence and protection of our fellows? But while we must never accuse the innocent, we should not scruple on occasion to defend a guilty man, provided he is not a villain or a reprobate. This is a law of society; it is admitted by usage; it is human nature. A judge must in every suit cleave to the truth, a pleader may at times maintain what is plausible though not strictly true; still I should hesitate to record this opinion especially in a philosophical treatise, if I had not the authority of Panaetius, the strictest of the Stoics. It is always the defender who reaps the greatest glory and credit, especially if he succours the weak when they are deceived or oppressed by the strong. I myself have done that on many occasions; the most notable instance occurred in my youth when I defended Sex. Roscius of Ameria against the omni-

potent Sulla. The oration, as you know, is published.

XV.—52. Having described the duties which a young man must perform in order to gain distinction I go on to speak of beneficence or liberality, which is of two sorts. It is shown in acts of kindness or in gifts of money. The latter is the easier method, especially for a rich man; but the former is more noble, more magnificent, more worthy of a gentleman. Both forms of beneficence imply a generous desire to oblige; money is withdrawn from the safe, while kindness is a draught on our energies; but bounty taken from our substance drains the very spring of generosity. Thus kindness kills kindness; for the more good you do, the less you can do. 53. If our beneficence consists in personal service, that is, in active work, the more benefits we confer, the more support shall we obtain from others in our generous efforts, and the habit of beneficence will make us more disposed and better qualified to bestow our favours. It is with justice that Philip in one of his letters reproves his son Alexander for courting the favour of the Macedonians by dispensing liberal gifts: "What in the world," he says, "led you to look for loyalty in those whom you corrupted with money? Are you really trying to make the Macedonians hope that you will one day be their attendant and purveyor instead of their king?" It was a good idea

to speak of the "attendant and purveyor" because Alexander's conduct was mean and unprincely, but it was better still to call bounty *corruption;* for he who takes a gift goes from bad to worse and always looks for more. 54. That was Philip's rebuke to his son but we may all take the lesson to heart. Benevolence, then, expressed in active service, is doubtless more honourable, besides it has a wider sphere, and affects a larger number for good, yet charity is sometimes a duty and we should not entirely repudiate this form of kindness. Let us therefore give of our substance to the deserving poor, but with thrift and moderation. For many have run through their patrimony by indiscreet giving. What folly to throw away the means of living as we please! Besides, robbery often follows profuse liberality. When the giver feels the pinch of want, he is forced to lay hands on the goods of others, and, though his kindness is intended to procure good-will, so far is he from winning the love of those to whom he gives that he incurs the hatred of those whom he despoils. 55. Therefore close not your purse so fast that it will not open to a generous impulse, nor open it so that it gapes to every passer-by, but set a limit, and let that limit be determined by your means. In a word, remember the saying so often repeated by our people that it has passed into a proverb: "Bounty is a bottomless pit". For what limit is possible when

we are pressed by a succession of beggars, the one more importunate than the other?

XVI.—There are two kinds of givers—the prodigal and the liberal. The prodigal squander their wealth on public feasts and doles, on gladiatorial shows, on plays and wild-beast fights, vanities the memory of which lives for a moment if it lives at all. 56. The liberal employ their means in ransoming prisoners from the hands of brigands, in paying the debts of friends, and in helping them to settle their daughters in life, or to make or enlarge their fortunes. I wonder then what came over Theophrastus when he wrote his book *On Riches*, which among many noble thoughts contains one absurd paradox. The author is never done praising the rich and elaborate appliances of public spectacles, and he considers it the highest privilege of wealth to be able to afford such expenditure. To my mind the form of liberality of which I have just given a few examples yields a greater and surer satisfaction. How much more true and telling are the words of Aristotle when he rebukes us because we see without surprise the vast sums that are squandered on the amusement of the people. I shall quote the passage. "If the inhabitants of a beleaguered town are reduced to buying a pint of water for a mina, at first the thing appears surprising and incredible, but, upon reflection, we make allowance for necessity; while these enormous sacrifices and

gigantic outlays excite but little wonder; yet in this case there is no necessity to relieve, no dignity to enhance, and the pleasure of the mob, which the most frivolous may enjoy, lasts but a brief space and even its memory perishes in the moment of satiety." 57. His conclusion is excellent. "These amusements suit the taste of children, wenches, slaves, and slavish freemen, but can nowise find favour with the serious man who values things at their true worth." I am well aware that ever since the good old times it has been the custom in our state to expect acts of munificence from eminent citizens in the course of their aedileship. P. Crassus who was as rich as his surname suggested performed with munificence the functions of that office, and not long after L. Crassus followed in his footsteps although he had for his colleague Q. Mucius, the most moderate of men: these were succeeded by C. Claudius, the son of Appius, the Luculli, Hortensius, Silanus and many others. But P. Lentulus during my consulate eclipsed all his predecessors; and Scaurus followed his example. The spectacles provided by my friend Pompey in his second consulate were also on a magnificent scale: but you know my views on the whole matter. XVII.—58. On the other hand we should avoid the suspicion of meanness. It was by declining the office of aedile that the wealthy Mamercus was defeated when he stood for the consulate. Public munificence is justified, if

it is demanded by the people and approved, though perhaps not desired, by honest citizens, and if it happens to be the best means of attaining some great advantage; only you must follow my example and never exceed your means. Orestes lately signalised himself in this manner by the open-air banquets which he gave as a tithe-offering. Again nobody blamed Marcus Seius for supplying corn to the people in time of dearth at one *as* the peck. By an outlay which was not serious in itself and which in any case was no disgrace to an aedile he succeeded in dissipating the strong and inveterate prejudice which had risen up against him. But the highest credit of all was recently obtained by my friend Milo who for the safety of the republic which was bound up with mine bought a band of gladiators and crushed all the frantic schemes of P. Clodius. Munificence, I repeat, is only justified by necessity or utility. 59. Even then moderation is the best rule. The able and illustrious L. Philippus, the son of Quintus, used to boast that he had attained to the highest offices without providing a single public spectacle. Cotta and Curio among others claimed the same merit and I myself may perhaps be excused if I refer to my own career with some measure of complacency. Considering the dignity of the offices to which, unlike all these statesmen, I was unanimously elected at the earliest legal date, the cost of my aedileship was quite in-

significant. 60. Money is more wisely expended on the construction of fortifications, docks, harbours, aqueducts, and other works of public utility. I admit that gifts which are paid cash down, so to speak, yield greater pleasure at the moment; but public monuments are a source of more enduring gratitude. As for theatres, colonnades, and new temples, my respect for Pompey's memory restrains me from condemning them, but they are not approved by the most eminent philosophers, among others my authority Panaetius whom I have followed, though not slavishly, throughout this work, and Demetrius of Phalerum who denounces Pericles, the greatest Greek of his time, for squandering so much money on the magnificent Propylaea. I refer you to my *De Republica* where the subject is treated in detail. In conclusion the whole system of public benefactions is radically wrong, and even when they are justified they should be proportioned to our means and kept within the limits of moderation. XVIII.—61. In regard to the second kind of giving which springs from liberality our attitude must vary with circumstances. A man overwhelmed with calamity is in quite a different case from the man who is free from actual distress but seeks to better his condition. 62. Generosity will be more disposed to lend a helping hand to the unfortunate unless it happen that their misfortune is deserved. Yet when people ask our aid not in

order to escape from ruin but to rise to a higher level we should nowise be churlish; at the same time discrimination and care are necessary in selecting deserving cases. That is an excellent saying of Ennius: "A benefit misplaced turns to a crime". 63. Service rendered to a good and grateful man has its reward not only from the recipient but from society at large. For liberality is best appreciated when directed with judgment, and people praise it with the more heart since the generosity of the great is like a city of refuge to which every one can fly. Let us therefore bestow as many benefits as possible and benefits of such a nature that their memory will go down to children and children's children and command their gratitude. All men detest ingratitude as a wrong done to themselves inasmuch as it discourages liberality and they regard the ingrate as the common enemy of the poor. A form of generosity advantageous to the state is the ransom of prisoners and the relief of the poor: at one time this was the distinctive virtue of our own order, as Crassus has proved by numerous examples in one of his orations. This common form of charity I much prefer to the lavish display of public spectacles. It befits the character of great and serious men while ostentatious munificence suggests the demagogue who tickles the susceptibilities of the capricious mob. 64. It is well to be open-handed in giving and not to be hard in

exacting our due; and in all our dealings, whether buying or selling, hiring or letting, or fixing the boundaries of houses and lands, we should be fair and reasonable and ever ready to abate something of our lawful rights and to do whatever seems possible and even more to keep out of court. It is often profitable as well as generous to yield a point. At the same time it is our duty to guard our property, for it would be criminal to let it slip through our fingers. But we must never expose ourselves to the suspicion of meanness or greed. It is unquestionably the highest privilege of wealth to be able to do good without sacrificing our patrimony. Hospitality, another form of this virtue, is justly commended by Theophrastus. It is most graceful, I think, in men of distinction, to open their doors to illustrious guests, and it is an honour to the republic itself if foreigners resident in our city are hospitably entertained. Moreover, the social relations thus established will ensure the acquisition of influence and favour in foreign lands, a great advantage for those who seek political power by honourable means. Theophrastus relates that Cimon exercised hospitality at Athens even towards the people of his own ward: and that he gave orders to his bailiffs that every kindness should be shown to any man of Lacia who presented himself at his farm.

XIX.—65. Active benevolence as distinct from

charity is bestowed on the community at large or on individual citizens. A generous disposition to place our legal skill at the service of the greatest number is a valuable means of advancing our power and influence. Our forefathers had many excellent usages but nothing does them greater honour than the respect in which they always held the study and interpretation of our admirable system of civil law. Up to these unsettled times this science remained in the exclusive possession of the most eminent citizens. But it has now shared the fate of our public honours and all the degrees of official preferment, and its glory is departed. This is the more deplorable since we still possess a jurist who is officially the equal of all his predecessors but quite their superior in legal learning. Such personal interposition, I repeat, is alike valued by society and calculated to win the gratitude of our fellow-men.

66. Closely related to this branch of knowledge is the gift of eloquence which leads to greater popularity and distinction. What is more excellent than eloquence? Think of the admiration of the hearers, the eager hopes of the helpless clients and the gratitude that is earned in pleading their case. It was to eloquence, therefore, that our forefathers assigned the highest rank among the arts of peace. The orator, then, whose heart is in his work, and who readily follows the good old custom of pleading

without remuneration, has a wide field for the exercise of his generous patronage. 67. This would have been the proper place to lament once more the decadence not to say the total extinction of eloquence, but I fear my complaint may be construed as selfish. How many great orators have we lost! How few of any promise remain! What a dearth there is of talent, what a plethora of presumption! It is not given to all or even to many to be great jurists or orators, but there are many other ways of helping our friends; we may get them promotion, recommend them to judges and magistrates, watch over their interests and procure them legal assistance both in and out of court. By services such as these we gain the greatest credit and find the most extensive sphere for our energies. 68. I need hardly warn you (the thing is so obvious) never to offend one man in helping another. We often injure others when it is against our duty or our interest: if, inadvertently, we are guilty of negligence; if, designedly, of indiscretion. If we involuntarily offend any one we should apologise to him as best we can, showing the necessity of acting as we did and the impossibility of acting otherwise, and we should try by other acts of kindness to repair the wrong we have done.

XX.—69. When we help any one, we think either of his character or his position. Now it is an easy as it is a trite remark that in bestowing a favour we look

to a man's morals and not to his circumstances. That is all very well; but in doing a service would any one really prefer the cause of the friendless man, however worthy, to the favour of a man of wealth and influence? We are most inclined to help the man who offers the most prompt and speedy recompense. But let us open our eyes and look at the facts. No doubt our poor friend, if he is a worthy man, may at least be sensible of a favour even though he cannot return it. Some one has happily said that "money kept is not repaid, and money repaid is not kept; but that the sense of favour remains when the favour is repaid, and the favour is repaid when the sense of it remains". But the rich, the great, the prosperous will be obliged to no one: why, they fancy they confer a kindness in accepting the greatest favours, they even suspect ulterior motives, nay they would rather die than own a patron or take the name of client. 70. On the other hand, as the poor man feels that anything that is done for him is done out of regard for himself and not for his position, he studies to make his gratitude plain not only to his benefactor but to those from whom he expects help —and they are many—and far from exaggerating he depreciates any little service he may do in return. Again observe that if you plead the case of a rich and prosperous man he alone is grateful to you or at most his family; but if your client be honest and respect-

able though poor, all the worthy people of his class who form the mass of the community will look to you as a tower of defence. 71. I therefore think it better to bestow a favour on the good than on the rich. By all means let us do our duty to men of every rank, but, if we are in doubt, we cannot do better than follow the advice of Themistocles. Some one asked him whether he should give his daughter in marriage to a good man without means or to a rich man without character. "For my part," he replied, "I prefer a man without money to money without a man." In these days we are utterly demoralised by the worship of wealth: and after all what is it to you or me? It is perhaps a blessing to its possessor, but not always. Suppose it is: he may have more to spend, I admit, but for all that is he the better man? If, however, he is good as well as rich, his wealth should not induce us to serve him though it need not prevent us: in short, we should look to worth and not to wealth. My last rule on the subject of active kindness is, never strive to attain your object in defiance of right or in the cause of wrong. No reputation can endure that is not founded on justice, without which nothing can be worthy of praise.

XXI.—72. I now pass from the benefits which concern individuals to those which touch the state or the whole body of citizens. Of these public benefits some affect all the citizens indiscriminately, others

individuals alone; the latter are more highly prized. We should as far as possible consult the interests of both, but the service we render to individual citizens should always be useful or at least not prejudicial to the state. While C. Gracchus well-nigh drained the exchequer by the distribution of corn on a great scale, M. Octavius satisfied the wants of the masses by a moderate dole which was no great burden to the republic: the measure was therefore a blessing at once to the individual and to the community. 73. The first duty of a statesman is to provide for the security of private property and prevent it from being alienated by public authority. The tribune Philip set a pernicious example in proposing his agrarian law. When the bill was thrown out, he took his defeat with a good grace and displayed unusual moderation. But in his address to the people, the tone of which was fair on the whole, he committed a blunder when he said that there were not two thousand proprietors in Rome. The language is criminal and a direct incentive to socialism, the most pernicious system that can be conceived. Indeed it was principally for the protection of property that states and municipalities were first established. For though men are naturally gregarious, they first sought the protection of cities with a view to the security of their possessions. 74. Another duty of a statesman is to prevent the imposition of a property tax,

a measure which was often forced upon our ancestors by financial embarrassment and incessant wars; and to avert this evil he must lay his plans long beforehand. But if any state has to face the necessity of such a burden (I am speaking generally and I would rather forebode mischief to others than to ourselves), an effort should be made to convince the people that for their own safety they must bow to the inevitable. Again, a statesman must provide an abundant supply of the necessaries of life. It is needless to discuss the ways and means; they are obvious: suffice it to mention the subject.

75. In the public administration the chief thing is to avoid the faintest suspicion of cupidity. "Would to heaven," said C. Pontius, the Samnite, "it had been my fortune to be born in the days when the Romans began to accept bribes! I should not have let them rule very long." Verily, he must have waited many generations; for it is not long since this mischief befell our country. I am not sorry that Pontius lived then rather than now, if he really had so much power. Barely a hundred and ten years ago L. Piso brought forward the first law dealing with extortion. But since his time many measures have been passed, the one more stringent than the other; and when I think of the countless prosecutions and convictions that have occurred, of the terrible war that was kindled by those who feared a similar fate,

of the suppression of the law and its tribunals, and of the cruel spoliation of our allies, I cannot help exclaiming that we owe our power to the weakness of others and not to our own strength. XXII.—76. Panaetius praises Africanus for his purity in public life. The compliment is just, but that was not his greatest virtue. The merit of official purity was not confined to him, it was characteristic of his age. Paulus having captured the vast treasures of Macedonia so replenished the public coffers that the booty of one commander abolished the tax on property for all time to come; but he brought nothing to his own home except the glory of an immortal name. Africanus, following his father's example, was none the richer for the destruction of Carthage. Take, again, the case of L. Mummius, his colleague in the censorship. Was he one whit the richer for razing to the ground the richest city in the world? No, he preferred to embellish his country rather than his home. Yet in adorning Italy he appears to me to have adorned his home still more. 77. To return to my subject, no vice is more repulsive than cupidity, especially in eminent public men. It is infamous, outrageous, execrable to exploit the state. The Pythian Apollo, in predicting that Sparta would only perish through her own rapacity, must have addressed his oracular words to all wealthy nations as well as to the Lacedaemonians. For the politician, then, the

easiest method of gaining popular esteem is to be pure and disinterested in his public conduct. 78. Demagogues who with their agrarian schemes drive the tenant from his home or propose the abolition of debts sap the very foundations of the commonwealth. Concord is impossible when one man is enriched at the expense of another, and equity is utterly abolished if the rights of property are not respected. The function, I repeat, of the state and the city, is to secure to the individual the free and undisturbed enjoyment of his property. 79. Besides, these revolutionists defeat their own object. The man who is robbed of his goods is their enemy, the man to whom they are given actually professes that he did not wish to receive them; in particular, the debtor hides his joy for fear of betraying his insolvency. On the other hand, the victim of injustice remembers the wrong and openly expresses his resentment, and even if those who gain by injustice outnumber those who lose, they are not necessarily stronger. Here the test is weight, not number. Where is the justice in handing over to a stranger an estate taken from one who has held it by a title established for years or perhaps generations? XXIII.—80. It was for iniquities of this kind that the Lacedaemonians banished the Ephor Lysander and put to death King Agis, an act without precedent in their history. Such furious discord ensued that tyrants

sprang up, the nobles were expatriated and the state with its glorious constitution crumbled away. But in its downfall it was not alone; it dragged with it to destruction the rest of Greece, for the mischief beginning at Lacedaemon travelled like a plague farther and farther. To turn to our own history, need I remind you of the fate of the Gracchi, sons of the great Ti. Gracchus, and grandsons of Africanus, who perished in agrarian strife? 81. All honour to Aratus of Sicyon, who, when his native city had been fifty years in the hands of tyrants, set out from Sparta for Sicyon, stole into the city and took it by surprise. He crushed the tyrant Nicocles, recalled from exile six hundred of his countrymen who had been the wealthiest citizens in the state and by his advent set the republic free. But he found great difficulty in dealing with property and its occupancy. On the one hand he thought it most unjust that the restored exiles, whose property had been seized by others, should suffer from want, on the other it seemed hardly fair to disturb a tenure of fifty years' duration because in this long interval many of the holdings had passed by inheritance, purchase, or marriage, into innocent hands. He therefore decided that it was wrong to dispossess the occupants or to refuse compensation to the rightful owners. 82. Finding that money was necessary to settle the difficulty, he announced that he was going to Alexandria

and ordered that things should remain as they were until his return. So he hastened to the court of Ptolemy, an old friend of his family, the second king of Egypt after the foundation of Alexandria, explained to the wealthy monarch his desire to set his country free, and laid before him the position of affairs. Thus he easily succeeded in obtaining the grant of a large sum for his purpose. Returning with this to Sicyon, he formed a committee of fifteen eminent citizens with whom he investigated the rights of the actual and of the former occupants; he prevailed upon some on the one side to quit their holdings and accept an equivalent in money at a valuation and he convinced some on the other side that it would be more to their interest to take a fair price than to recover their lands. So he contrived to make peace and send away both parties satisfied.

83. Here was a great man! Would that we could claim him as our countryman! This is the model policy; it would have spared us these two dark scenes when the spear was planted in the forum and the goods of Roman citizens were brought to the hammer by the public crier. Not so our noble Greek; like a wise and great man he consulted the welfare of all without distinction. Thus it is the soundest policy and the truest patriotism not to sever the interests of our countrymen but to unite all under one impartial rule. Let each live in his

neighbour's house rent-free. Why so? After I have bought it, and built it, kept it up, and spent my money on it, do you mean to say that you are to have all the good of it in spite of me? What is that but robbing one man to give to another?

84. But what is the purpose of cancelling accounts? Is it not that you may buy a piece of land with my money, and you get the land while I lose my money? XXIV.—Debt must be checked; it is a great public evil which may be met in many ways. But the debt once made, the debtor should not be allowed to enrich himself at the expense of the wealthy creditor. For nothing knits a state together like credit, and credit cannot exist unless the payment of debts is considered binding. Never was there a stronger movement for repudiation than in my consulate. Men of every rank and condition rose in arms to fight for the cause: but my vigorous resistance swept the plague for ever from our land. Debts were never greater, and never were they better or more readily discharged; for when the hope of spoliation was gone, the debtor was compelled to pay. The tyrant of our times, however, with no personal interest to serve, accomplished in the hour of triumph the designs which he had conceived in the days of his defeat. He loved sin so much that he sinned for the mere pleasure of it.

85. Statesmen, therefore, will do well to abstain

from a form of liberality which robs one man to enrich another. Their first care will be to secure the rights of property by the equity of the law and its tribunals. They will save the poor and weak from the snares that are laid for them, and the rich from the envy which would hinder them from keeping or recovering their own. Moreover, in peace and in war they will use every means to increase the power, the territory, and the revenue of the state. Such is the mission of our great men, such was the practice of our ancestors; and those who steadily perform the duties described will at once confer signal advantage on the community and acquire the greatest popularity and glory.

86. The Stoic philosopher, Antipater of Tyre, who recently died at Athens, holds that Panaetius has omitted from the rules of expediency the care of health and property: the great philosopher, I imagine, makes no mention of these duties, because they are obvious; they certainly are expedient. I will, however, say a few words on the subject. To preserve our health we must study our constitution, observe what is good or bad for us, be temperate in all our habits, abstain from sensual pleasure, and finally we may have recourse to medical skill. 87. Property should be acquired by honourable means and preserved and increased by care and thrift. Xenophon, the pupil of Socrates, has treated these questions most happily

in his *Oeconomicus,* which I translated from Greek into Latin when I was just about your age. But the whole subject of making, investing, and, I wish I could have said, of spending money is more appropriately discussed by our worthy friends on "Change" than by philosophers of any sect. Still these questions deserve study; for they concern expediency, which is the subject of this book.

XXV.—88. It is often necessary to discover the various degrees of expediency in things. This, as I said, is the fourth head omitted by Panaetius. Physical are compared with external advantages, physical with each other, external with external. In comparing physical with external advantages one might say that he preferred health to riches (external advantages are contrasted with physical when, for instance, we say that we would rather be wealthy than possess the greatest physical strength); physical advantages are balanced thus: "I prefer good health to sensual pleasure, strength to agility"; finally, when we set the gifts of fortune one against another, glory may seem superior to wealth, a city income to a country income. 89. The saying of Cato the elder is an example of this kind of comparison. Some one asked him what was the best rule in farming. He replied, "Good pasture". The second? "Fair pasture." The third? "Poor pasture." The fourth? "Agriculture." The other continued his queries: "What of

usury?" Cato answered, "What of murder?" This example and many others that I could cite prove that actions are often compared in respect of expediency, and that this fourth division deserved a place in our moral inquiries. I pass to the other divisions of my subject.

THIRD BOOK

I.—1. My dear Marcus, the first Scipio Africanus was accustomed to say, as we learn from Cato, his contemporary, that he was never less idle than when idle, never less alone than when alone—a truly noble sentiment, worthy of a great and wise man. It proves to us that he was wont to think of public affairs in his hours of idleness and that even in solitude he would commune with himself so that he never was at rest and seldom craved for company. Idleness and solitude—those two things which bring weariness to others—were nothing but a spur to him. I wish I could honestly say the same of myself. But if I cannot emulate his lofty spirit, it is not for lack of good intention. Driven from political and forensic employment by force and godless arms I now lead a life of leisure. That is the cause of my leaving the city and travelling in the country where I often am alone. 2. But my leisure is not that of Africanus, nor my solitude his. It was in order to rest from the most honourable public duties that he

at times sought leisure and withdrew from the bustle of the crowd into the haven of solitude. But my leisure comes from lack of occupation, not from love of repose. Now that the senate is abolished and the law-courts effaced, what honourable employment can I find in the senate-house or the forum? 3. I who once lived in the greatest publicity, exposed to the gaze of my fellow-citizens, have now to shun the sight of the miscreants with whom the city swarms, and live as far as possible in concealment and often I am alone. But having been taught by philosophers not only to choose the lesser evil but even to extract whatever good is in it, I try to make the best of my life of retirement. Though it is hardly the peaceful repose that should have been in store for a man who once procured peace for his country, yet I will not stagnate in the isolation which necessity, not choice, has imposed upon me. 4. Africanus, I admit, attained a higher degree of merit. If he left behind him no written works, no product of his leisure, no fruit of his solitude, we must conclude that it was on account of his intellectual activity and the investigation of the problems which occupied his mind that he never felt idle or lonely. But I, who have not the strength of character to seek relief from solitude in silent contemplation, bring all my thoughts and efforts to bear upon my present literary work. Accordingly in the brief period that has elapsed since the downfall of

the republic I have written more than I did during the long years of her prosperity.

II.—5. The whole domain of philosophy, my dear son, is fertile and fruitful, no part of it is barren or waste; but there is no field in it more rich and productive than that of the moral duties from which we derive the principles of a consistent and honourable life. I feel sure that in the school of Cratippus, the first philosopher of the age, you listen with attention and profit to these valuable precepts. But I think it is well that they should be dinned into your ears at every turn, and that you should, if possible, hear nothing else. 6. These lessons should be laid to heart by all who intend to lead an honourable life, but perhaps by no one more than by you. For it is your duty to fulfil the sanguine anticipations of all that one day you will rival my energy, my eminence, and perhaps my renown. Moreover, you have incurred heavy obligations to Athens and Cratippus. You resorted to them to purchase as it were a store of good principles. What a discredit it would be to you to return empty-handed; what an affront to the high reputation of that city and your teacher! I would therefore have you strain every faculty and grudge no labour to ensure success—if study is not a pleasure rather than a labour—and never expose yourself to the imputation of having neglected the opportunities which my help has placed within your reach. But enough on this

point: for I have often written to you letters of encouragement. I now return to the last division of my subject.

7. The great moralist Panaetius, whose system I have adopted with slight modifications, proposed a triple classification of ethical problems. In the first place the question may be asked if the act under discussion is moral or immoral. Again, is it useful or prejudicial? Finally, if that which has the appearance of right clashes with what seems expedient, how are we to settle the difficulty? He treated two of these divisions in his first three books, and announced that he would speak of the third in its proper place, but he never fulfilled his promise. 8. This is the more astonishing as his pupil Posidonius informs us that Panaetius lived for thirty years after the publication of his book. I am no less surprised that Posidonius merely glances at the subject in one of his lectures, especially as he admits that it is the most important in the whole field of philosophy. 9. But I cannot accept the theory that Panaetius did not overlook but purposely omitted the subject, and that in no case should he have touched upon it, because the expedient can never come into conflict with the honourable. With regard to this assertion it may be open to doubt whether this question which forms the third division of Panaetius should have been included in his scheme

or entirely omitted; certain it is, that he took it up and then abandoned it. If you have finished two-thirds of a subject, you necessarily have one-third left. Besides, at the end of his third book he promises to speak of it in the course of his inquiry. 10. We have in addition the valuable testimony of Posidonius, who tells us in one of his letters that P. Rutilius Rufus, another student of Panaetius, used to say that as no artist had been found to complete the Venus of Cos which Apelles had left unfinished, because any one who beheld the beautiful face despaired of painting a figure to match, so the treatise of Panaetius was so perfect that no one dared to supply what he had omitted.

III.—11. On these grounds there is no doubt about the intention of Panaetius; but it is perhaps open to question whether he would have been right in adding this third division to his moral investigations. For whether you maintain with the Stoics, that the honourable is the only good, or with your Peripatetics, that it is so great a good that all others if placed in the opposite scale have hardly an atom's weight, this at least is certain that the expedient can never clash with the honourable. Socrates, we are told, used to execrate those who first wantonly severed two conceptions so essentially inseparable; and the Stoics who have adopted his theory consider everything that is honourable expedient and nothing

expedient that is not honourable. 12. If Panaetius had maintained that virtue was to be cultivated only for the sake of the advantages which it brings, as certain philosophers make pleasure or exemption from pain the standard of happiness, he would have been free to assert that the expedient sometimes conflicts with the honourable. But as he holds that virtue is the only good and that whatever runs counter to it has only the semblance of expediency and can neither make life better by its presence nor worse by its absence, I think he would not have been justified in raising a class of questions involving the comparison of honour with apparent expediency. 13. For when the Stoics contend that the highest good is to live in conformity with nature, they mean, I suppose, that we are always to act in harmony with virtue and only to choose other things which are in accordance with nature if they are not incompatible with virtue. Such are the arguments that have led a certain school to think that the comparison of the honourable and the expedient was from the first illegitimate and that it was not a subject for didactic treatment. But honour in its philosophical or ideal sense is the exclusive possession of the wise and is inseparable from virtue. Men of imperfect wisdom may perhaps arrive at the semblance but never at the reality of perfect moral rectitude. 14. The duties now before us are those which the Stoics call the

ordinary duties; they are common to all and open to all, indeed they are often attained by natural goodness and progress in learning. As for the duty which they call right, it is absolute perfection complete in all its parts, and, as they also assert, accessible to none but the wise. 15. But an action which displays the characteristics of the ordinary duties seems to the vulgar abundantly perfect because they hardly ever see where it falls short of perfection, and as far as their intelligence goes they can trace no defect. The same thing happens every day in regard to poems, paintings, and other works of art. Ordinary people admire and praise works of no merit. There is, I suppose, something in them to catch the fancy of the vulgar, who are too ignorant to discover anything wrong. So when the connoisseur sets them right they readily waive their opinion. IV.—The duties under discussion in the present work are, in the language of the Stoics, the ordinary virtues which are not peculiar to the wise but common to mankind. 16. They are such as appeal to men of inbred virtue. When we point to the two Decii or the two Scipios as heroes, or to Fabricius as a just man, we do not adduce them as examples of the ideal fortitude or justice which we look for in the sage. Not one of them realises our conception of wisdom. Even such men as M. Cato, C. Laelius, or the famous Seven themselves were no

sages, although they had the reputation and the title. It was only through the constant practice of the ordinary duties that they wore the similitude and appearance of wisdom. 17. It is never right to compare ideal virtue with conflicting expediency nor external advantages with the ordinary virtue which is practised by those who wish to be accounted worthy people. But we should guard the honour which is within our capacity as jealously as the sage his true and genuine honour; otherwise the progress we may have made in the path of virtue cannot be maintained. I have said enough of those who earn the name of worthy men by the observance of duty. 18. Those, on the other hand, who weigh all things in the scales of self-interest and refuse to give the preponderance to honour, are accustomed in their calculations to compare the honourable with that which they suppose to be expedient. Not so the good man. I therefore think that in saying that people were accustomed to waver in this comparison Panaetius literally meant that that was their custom but not their duty. To compare the seemingly expedient with the honourable and hesitate for one moment in our choice is as clearly wrong as to prefer the one to the other. In what circumstances, then, is there room for doubt and deliberation? It is, I imagine, when a difficulty arises as to the quality of any action we may be considering. 19. For in

exceptional circumstances that which is commonly held to be wrong is found on reflection not to be wrong. I shall illustrate my meaning by a special case which, however, has a general bearing. There is no greater crime than to murder a fellow-man, especially a friend. Still who would say that he commits a crime who assassinates a tyrant, however close a friend? The people of Rome, I tell you, think it no crime, but the noblest of all noble deeds. Did expediency here triumph over virtue? No, virtue followed in the train of expediency.

If we would accurately determine the apparent conflict between what we call the expedient and that which we understand by the honourable, some criterion must be established to guide us in our comparison and save us from swerving from duty. 20. Now it will be found that this criterion is most in harmony with the system and principles of the Stoics. Though the old Academics and your Peripatetics, who once were a branch of the same sect, prefer the honourable to the expedient, I here follow the system of the Stoics because the principles of duty are more impressively expounded by a school which identifies honour and expediency than by those who hold that in special circumstances the honourable is not expedient nor the expedient honourable. Besides, our Academy grants us full permission and authority to maintain any theory that has the balance of

probability in its favour. But I return to our guiding principle.

V.—21. To rob your neighbour, or to aggrandise yourself at the cost of another is more repugnant to nature than death, want, pain, or any other evils, physical or external. In the first place, injustice is fatal to human fellowship and society. The disposition to plunder or wrong your neighbour for your own advantage involves the ruin of society which of all things is most in harmony with nature. 22. If each of our limbs were conscious and thought it might be stronger if it drew to itself the soundness of the next, the whole body could not but wither and die; in like manner, if each of us should seize the advantages of others and wrest from them all he could for his own profit, the union and brotherhood of mankind would inevitably be subverted. That a man should prefer to earn a living for himself rather than for his neighbour is not repugnant to the natural sense of justice: what nature does forbid is that he should despoil others in order to augment his own wealth and influence. 23. For it is ordained not only by the law of nature, or rather the law of nations, but also by the statutes of particular communities on which their constitution depends that no one shall be permitted to injure another for his own advantage. The maintenance of civic life is the end and aim of the laws, and any attempt to dissolve society

is repressed with fines, imprisonment, exile and death. In the second place, this principle is more clearly demonstrated by universal reason, which is the law at once of gods and men: and whosoever hearkens to her voice—or lives according to nature—will never covet his neighbour's goods, or appropriate what he has wrested from another. 24. For fortitude, magnanimity, courtesy, justice, liberality are much more in harmony with nature than pleasure or riches, or even life itself, which the great and lofty spirit will despise and count as naught in comparison with the common weal. (To despoil another in order to enrich oneself is more opposed to nature than death, pain, or any other evils of the kind.) 25. Further, it is more in accordance with nature to undergo the greatest toils and brave the greatest hardships in protecting or succouring the nations of the world, if that should be our fortune, and to emulate the famous Hercules, whom the legends of grateful posterity placed in the assembly of the gods, than to live in isolation, not only free from care, but revelling in pleasure, abounding in wealth, and excelling in beauty and strength. Of these two lives the best and noblest natures far prefer the first, and from this it follows that one who obeys nature will never harm his fellow-men. 26. In the next place, he who wrongs his neighbour from some selfish motive either imagines that he is not acting in defiance of nature

or thinks that death, poverty, pain, even the loss of children, kinsmen and friends are more to be avoided than acts of injustice. If he thinks he does not infringe the laws of nature by injuring his fellows, how are you to argue with one who takes from man all that makes him man? But if he holds that injustice is indeed an evil to be shunned but that other evils are immeasurably greater, as death, want, pain, he is wrong and deceives himself in thinking that evils physical or external are more serious than moral evils. VI. — It should be the grand aim of every human being to make the interest of each the interest of all; where every man struggles for himself, there is an end to human fellowship. 27. Further, if nature ordains that one man shall help another, just because he is his fellow-man, it follows that according to nature the interests of individuals are identical with the interests of the community. If that is so, we are bound together by one and the same law of nature, and if that again is true, we are surely forbidden to do wrong to another. 28. The antecedent being true, the consequent is likewise true. It is absurd for people to say that they will not despoil a father or a brother for their own advantage but that fellow-citizens stand on quite a different footing. That is practically to assert that they are bound to their fellow-citizens neither by mutual obligations, social ties, nor common interests. But such a theory

tears in pieces the whole fabric of civil society. Others again who deny the rights of aliens while respecting those of their countrymen, destroy the universal brotherhood of mankind, which involves in its ruin beneficence, liberality, goodness and justice. To destroy these virtues is to sin against the immortal gods. It is to subvert that society which the gods established among men, of which the strongest bond is the conviction that it is more repugnant to nature to rob another for one's own good than to endure all evils external, physical, or even moral, so far as they are not concerned with justice; for justice is the sovereign-mistress and queen of all the virtues. 29. Perhaps the question may be asked: "If the sage were starving of hunger, would he not snatch a piece of bread from some good-for-nothing wretch?" (By no means. For the disposition not to injure any man for my own advantage is dearer to me than life.) Here is another question. If a righteous man were perishing of cold, would he not, if he could, rob a cruel and inhuman tyrant like Phalaris of his clothing? These are problems which it is easy to solve. 30. If you plundered a worthless man for your own advantage, it would be heartless and against the law of nature: but if you plundered him because your life, if prolonged, would be a benefit to your country and human society, the end would justify the means.

In other circumstances, a man should bear his own misfortune rather than trench upon the good fortune of another. Neither sickness nor want, nor any other evils of the kind are more opposed to nature than spoliation and cupidity, but neglect of the common interest is unnatural because unjust. 31. Accordingly the law of nature herself which preserves and maintains the common interests of men expressly ordains that the means of subsistence shall be transferred from the lazy and worthless man to the wise, righteous and brave citizen whose death would be a heavy loss to the common weal, but he must guard against the pride and conceit that would find in this an occasion for injustice. In this way he will always fulfil his duty if he promotes the interests of his fellowmen and of human society, if I may repeat once more the same old words. 32. The case of Phalaris is easily settled. There can be no such thing as fellowship with tyrants, nothing but bitter feud is possible: and it is not repugnant to nature to despoil, if you can, those whom it is a virtue to kill; nay, this pestilent and godless brood should be utterly banished from human society. For, as we amputate a limb in which the blood and the vital spirit have ceased to circulate, because it injures the rest of the body, so monsters, who, under human guise, conceal the cruelty and ferocity of a wild beast, should be severed from the common body of humanity. Such

is the nature of all inquiries which deal with duty as determined by circumstances.

VII.—33. These, I imagine, are the subjects which Panaetius would next have discussed, had not some accident or some other occupation frustrated his design. For the solution of such problems as I have mentioned you will find in the preceding books abundance of precepts to show what should be avoided as immoral and what is permitted as not being absolutely immoral. But as my work is now so well advanced that I am about to add the finishing stroke, I will here follow the example of mathematicians. As it is their practice not to demonstrate their propositions in full, but to assume certain truths as postulates in order to explain their meaning more easily, so I require you, my dear son, to admit, if you can, that nothing but honour is to be desired for its own sake. If Cratippus forbids, you will at least grant that in itself it is more desirable than anything in the world. Either principle is sufficient for my purpose. I sometimes find more probability in the one, sometimes in the other but elsewhere none. 34. In the first place I must explain in vindication of Panaetius that he did not mean that real expediency could in certain contingencies clash with the honourable—for that would have been against his principles—but only apparent expediency. Indeed he often declares that expediency and honour are one

and the same thing, and that never was a more deadly blow aimed at society than the mischievous theory which first severed these two conceptions. Accordingly in admitting this apparent but not actual opposition, it was not his intention that we should sometimes prefer the expedient to the honourable but that we should infallibly decide between them in the event of a possible conflict. I will now fill the gap without the help of any one, fighting my own battle, as the saying is. For among the theories published on this branch of the subject since the time of Panaetius, none that I have seen is at all satisfactory.

VIII.—*35.* When we meet with any thing that has some colour of expediency it necessarily makes a powerful impression upon us. But if on closer examination we find that it has some taint of wrong, we should not throw up expediency but rather conclude that expediency and wrong cannot coexist. If there is nothing so repugnant to nature as wrong —for nature demands what is right, what is in harmony with her, what is consistent with itself and abhors the contrary—and if there is nothing so conformable to nature as expediency, then assuredly expediency and wrong are incompatible. Again if we are born to virtue and virtue is, as Zeno holds, the only thing to be desired, or if, according to Aristotle, it at least absolutely outweighs everything in the world, it necessarily follows that honour is

the sole or the supreme good: now what is good is certainly expedient, consequently whatever is honourable is expedient. 36. So when the wicked in their folly snatch at something which seems expedient they straightway sever it from the honourable. Hence daggers, poisons, forged wills, thefts, peculations; hence the pillaging and plundering of allies and fellow-citizens; hence the passion for inordinate wealth and oppressive power, and finally the ambition to play the king in a free community, which is the most repulsive and atrocious crime that can be conceived. For the distorted vision of unprincipled men is so fixed upon material advantage that they never see the penalty of the laws which they often override, still less the penalty of dishonour which is the most cruel of all. 37. Away with these wicked and accursed waverers who cannot decide whether to pursue that which they know to be right or with open eyes to defile themselves with guilt; their vacillation, I hold, is criminal in itself even though they stop short of action. Never doubt, where doubt in itself is wrong. Further, the vain hope of escaping detection must be absolutely excluded from our calculations: for if we have made some little progress in philosophy we should be thoroughly convinced that it is wrong to do anything unjust, wanton, or intemperate, even if we could conceal our action from gods and men. IX.—38.

It is in illustration of this truth that Plato brings the famous Gyges on the scene. Once after heavy rains the earth parted asunder. Gyges went down into the chasm, and, as the story goes, he perceived a bronze horse with doors in its flanks. On opening the doors he saw a human corpse of extraordinary size with a gold ring on one of the fingers. He pulled off the ring and put it on his own finger. This Gyges, who was one of the shepherds of the king, then rejoined the others who just then were met together. As often as he turned the bezel of the ring towards the palm of his hand he became invisible but continued to see what was going on around him: and when he turned the ring back to its proper place he became visible as before. Taking advantage of this magic virtue of the ring, Gyges deflowered the queen, slew with her aid his royal master and removed every one he suspected of opposing him, in all these crimes remaining invisible. Thus with the help of the ring he suddenly rose to be king of Lydia. Now if the wise man had this very ring he would not think himself more free to sin than if he had it not. The good man seeks to do what is right, not to hide what he does. 39. Commenting on this passage certain well-meaning but rather dull philosophers tell us that the story related by Plato was a mere fiction, as if that great man really maintained that the incident was either

actual or possible. The illustration of the ring is in fact an allegorical statement of the following case. Would you gratify your desire for riches, power, dominion, or sensual pleasure, if you had no fear of detection or even of suspicion, and were certain that the act would for ever be unknown to gods and men? Our worthy friends say the case is impossible. I quite admit it is, but I ask if that which they declare impossible were possible, what would they do? They stick to their point with right boorish obstinacy and maintain the thing is impossible because they don't know the meaning of the word "possible". When we ask them what they would do if they could escape detection we don't ask them if that is possible, we merely put them on the rack, so to speak. For if they replied that they would do what was best for themselves if assured of impunity, they would thereby admit their criminal intention; if they said they would not, they would grant that every shameful act must be shunned on its own account. But it is high time to return to the point.

X.—40. Many cases arise in which we are perplexed by the semblance of expediency. I do not refer to circumstances in which the question is raised whether honour should be sacrificed for some great advantage — for that would be sinful — but to those in which we ask whether an action that seems expedient may be performed without dishonour.

Brutus, for example, might have been accused of injustice for deposing from the consulate his colleague Collatinus who had been his confederate and adviser in the expulsion of the royal house. But the leading citizens having determined to sweep away the whole clan of Superbus, and to obliterate the name of the Tarquins and every vestige of royal power, this expedient and patriotic measure was so praiseworthy that even Collatinus was bound to recognise its justice. Expediency prevailed because it was united with honour, apart from which there could have been no expediency whatsoever. 41. The case of Romulus who founded our city was quite different. It was a bare show of expediency that influenced him. Thinking it more convenient to reign alone than to share the sovereignty, he slew his brother, disregarding the dictates of natural affection and human feeling in order to obtain an illusory advantage. He alleged in his defence the incident which happened at the building of the wall; but this attempt to justify his conduct was flimsy and inadequate in the extreme. 42. Quirinus, therefore, or Romulus, call him which you will, did wrong, be it said without offence. Still we should not throw away our advantages and surrender to others what we ourselves require, but our own interests should only be considered in so far as they do not prejudice the rights of others. Chrysippus remarks with

his usual sagacity: "As a man who runs a race should do his very best to win but should never foul his rival or push him off the course: so in the battle of life it is right for a man to pursue his own advantage but wrong to usurp the advantage of another".

43. It is chiefly in friendship that our conceptions of duty are unsettled, for it is at once contrary to duty to refuse a friend what justice permits and to grant him what she forbids. For all such cases a short and easy rule may be given. Honour, wealth, pleasure and other apparent advantages must never be preferred to friendship. On the other hand the righteous man will not betray his country, break his oath, or tarnish his honour for the sake of a friend even if he sits in judgment upon him. In assuming the character of a judge he lays aside that of a friend. He may be better pleased if his friend's cause be just; he may, if the law permits, time the pleading of the cause to suit his friend's convenience; beyond that he cannot go in yielding to the promptings of friendship. 44. Since he has to pronounce sentence on oath, he must bear in mind that he calls God to witness, that is, as I imagine, his own conscience, the most divine faculty that God has bestowed on man. It is a noble tradition, if we but observed it, to ask of the judge only *what he can grant with a good conscience.* Such a request, as I have just said, may be honourably

granted by a judge to his friend. If we were compelled to do everything our friends wanted, the relation between us would be more correctly termed conspiracy than friendship. 45. I am here speaking of ordinary friendships, for among ideally wise men no such contingency can arise. It is recorded that two Pythagoreans named Damon and Phintias were so attached to each other that, when one of them was condemned to death by the tyrant Dionysius and the day had been fixed for his execution, he applied for a few days' respite to provide for the safe keeping of his family, while the other became bail for his appearance and pledged himself to die if his friend did not return. The condemned man came back by the appointed time and the tyrant in admiration of their fidelity begged to be admitted to their friendship. 46. In friendship, therefore, when that which seems expedient conflicts with that which is honourable, false expediency must give way and honour prevail; and when the requests of our friends cannot be honourably granted, conscience and honour must take precedence of friendship. In this way we shall arrive at that nice discrimination of duty which is the object of our inquiry.

XI.—False expediency is often the cause of political crimes such as our own people committed in destroying Corinth. The Athenians were still more cruel when they decreed that the Aeginetans

who were a strong naval power should have their thumbs cut off. They considered the step expedient because the proximity of Aegina was a standing menace to the Piraeus. Cruelty can never be expedient; nothing is so opposed to human nature, our infallible guide. 47. It is no less wrong to exclude aliens from a city or to drive them out as Pennus did in the last generation and Papius in this. It is quite proper that no one should be allowed to assume the privileges of a citizen who is not really a citizen, and a law to this effect was passed by two of our wisest consuls, Crassus and Scaevola: but to exclude foreigners altogether is clearly opposed to the dictates of humanity. On the other hand it is glorious to sacrifice to honour the mere semblance of public utility. Our history is rich in examples of this kind especially in the period of the Second Punic War. After the disaster of Cannae Rome exhibited greater courage than ever she did in the time of her prosperity. No face betrayed fear, no voice spoke for peace. Thus does the false glitter of expediency pale in the pure sunlight of honour. 48. Unable to resist the Persian invasion the Athenians resolved to abandon their city, place their families in safe keeping at Troezen, and to embark in their ships in order to defend the liberty of Greece. A man called Cyrsilus who urged them to remain in the

city and open the gates to Xerxes was stoned to death. His proposal, which seemed expedient, was quite the reverse, because it was opposed to honour. 49. After his victory in the Persian War Themistocles stated in the national assembly that he had in view a scheme of public utility which it was impolitic to divulge and requested the people to appoint some one to whom he might make it known. Aristides was chosen, and Themistocles explained to him that, if by a *coup de main* they burned the Lacedaemonian fleet which was beached at Gytheum, they would inevitably shatter the power of the Lacedaemonians. Aristides then returned to the assembly where his appearance was eagerly awaited and reported that the plan of Themistocles was most expedient but far from honourable. The Athenians thought that what was wrong could not be expedient, and at the instance of Aristides rejected the project without even hearing what it was. They acted more nobly than we who grant immunity to pirates and burden our allies with taxes.

XII.—We shall therefore consider it as settled that what is wrong is not expedient even when it brings some supposed advantage; the mere thought that wrong is expedient is disastrous in itself. 50. But, as I have said, circumstances often arise in which expediency seems to clash with honour and we are obliged to consider whether the two are

absolutely opposed or may be reconciled. The following problem will illustrate my meaning. An honest man brings a large cargo of grain from Alexandria to Rhodes during a dearth when corn is selling at famine price. He knows that several merchants have sailed from Alexandria and on the passage he has seen their ships laden with grain steering for Rhodes. Shall he inform the Rhodians or keep his own counsel and sell his cargo at the highest possible price? We are imagining the case of a virtuous and honest man: we are studying the moral conflict of one who would not keep the Rhodians in ignorance if he thought it wrong, though he might be inclined to think that silence is right. 51. On such casuistic questions the views of the great and respected Stoic, Diogenes of Babylon, differ from those of his pupil Antipater, a man of the keenest intellect. Antipater holds that all the facts should be disclosed so that the buyer may be as fully informed as the seller; according to Diogenes the seller must state the defects of his goods only so far as the common law requires, he must be straightforward in all his dealings, but is entitled to take the highest price he can get. "I have imported and laid out my goods and I offer them as cheap as other people, perhaps cheaper, when I have a larger supply: whom do I wrong?" 52. Antipater argues on the other side: "What do you mean? It is your duty

to promote the welfare of others and to make yourself useful to society. You are bound to obey the conditions of your existence and follow your natural instincts which ordain that your interest should be the interest of the community and *vice versâ*. Will you then refuse to tell your fellow-men of the blessings and abundant supplies that are at hand?" Diogenes will perhaps reply in these terms: "Concealment is one thing, silence another, and I don't conceal anything from you now, if I don't tell you what is the nature of the gods or the highest good which it would be more useful to you to know than the low price of wheat. I am not obliged to tell you all that it would be for your advantage to know." 53. "Yes, you must," Antipater will say, "if you regard the natural bond of society, which knits men together." "I don't forget the claim of society," Diogenes will reply; "but surely it does not exclude the idea of private property. If it does, then selling is impossible, and we shall have to give everything away." XIII.—You observe that throughout this discussion they do not say, "However wrong this may be, I will do it, as it is expedient"; the one says it is expedient without being wrong; the other, it must not be done, because it is wrong. 54. Supposing an honest man is selling a house on account of certain defects known to him alone. It is believed to be healthy but is really unhealthy. Snakes appear in

all the bedrooms, the house is built of bad timber and is insecure, but nobody is aware of this except the owner: if he did not inform the purchaser and sold his house at a higher price than he expected, would his conduct, I ask, be unjust or wicked? "Of course it would," says Antipater. 55. "For what is the difference between refusing to set a man right who has lost his way, an act forbidden at Athens under pain of public execration, and letting a purchaser be carried away and blindly incur the heaviest loss? That is still worse than not showing a man the way: it is deliberately misleading your neighbour." Diogenes replies: "Nobody compelled you, nobody even pressed you to buy; the man put up for sale what he did not like and you bought what you liked. Those who advertise: 'For sale, an excellent and substantial country house,' are not considered dishonest even if it is neither excellent nor substantial, still less are those who don't cry up their house. Where is there room for dishonesty on the part of the seller if the buyer is free to exercise his judgment? If you are not required to make good all you say, do you think you are responsible for what you don't say? Now what is more foolish than for a seller to tell the defects of the article he is selling or more absurd than for a crier to proclaim by the proprietor's order: 'An unhealthy house to be sold'?" 56. It is in this way that in certain dubious cases the one side

defends the honourable, while the other tells us that it is not only right to do what is expedient but actually wrong not to do it. Such is the apparent conflict that often arises between the expedient and the honourable. But I must give my own decision in these two cases; I stated the problems in order to solve them, and not simply to raise an inquiry. 57. Well, in my opinion, neither should the corn-dealer have kept anything back from the Rhodians, nor the man who was selling the house from the purchasers. For concealment does not consist merely in suppression but in keeping something you know from others for your own advantage when it is their interest to know it; and the nature of such dissimulation and the character of those who practise it are obvious. We certainly do not expect to find it in the open, straightforward, candid, just, or honest man but rather in the evasive, deep, crafty, designing, cunning, sly, confirmed rogue. What a calamity to have oneself called by all these opprobrious names!

XIV.—58. But if it is a fault to suppress the truth, what are we to think of those who employ downright falsehood? A Roman knight, called C. Canius, a man of considerable wit and culture, came to Syracuse where, as he used to say himself, his sole occupation would be to keep himself unoccupied. He often spoke of buying a little country place where he could invite his friends and enjoy himself

without fear of intrusion. When his intention got abroad, a Syracusan banker, called Pythius, told him he owned a property of the kind; it was not for sale but Canius was welcome to the use of it and at the same time he asked him to dinner there the next day. Canius accepted the invitation. Pythius, whose position as a banker made him a favourite with all classes, sent for some fishermen, asked them to fish next day opposite his grounds and told them what to do. Canius arrived punctually. He found a sumptuous banquet provided by Pythius, and saw before him a large number of boats; the fishermen one by one brought the fish they had caught and threw them down at the feet of Pythius. 59. Then Canius said, "Pray, Pythius, what's the reason of this? What's the meaning of all these fish and boats?" "That's natural enough; this is the place where the Syracusans get all their fish and water; the people here could never get on without this estate." Canius grows keen and presses him to sell the place. At first the banker raises difficulties. To make a long story short, Canius gains his point. In his infatuation the rich knight buys the grounds with all their appurtenances at the high price demanded by Pythius. The banker concludes and notes the bargain. Next day Canius invites his friends, he comes himself in good time, but there is no trace of a boat. He asks his next-door neighbour if the

fishermen had a holiday that none of them were to be seen. "Not that I know of; but there is no fishing here and I could not imagine yesterday what had happened." 60. Canius fumed but was helpless. For my friend and colleague, C. Aquilius, had not yet published his forms of pleading in criminal fraud, and, when people asked him what was meant by fraud in his pleadings, he used to reply that it was professing one thing and practising another, a most brilliant and masterly definition. Pythius, then, and all whose deeds belie their words, are faithless, wicked, crafty. None of their actions can be expedient, they are so stained with vice.

XV.—61. But if the definition of Aquilius is correct, misrepresentation and concealment must be banished from the world; and the honest man will never employ either the one or the other for the purpose of driving a better bargain. Indeed, before the time of Aquilius this species of fraud was punished by statute. For example, the Twelve Tables dealt with offending guardians, and the Plaetorian Law with attempts to defraud minors. Apart from statute law, it is condemned by decisions in equity, in which the apt words are *ex fide bona*. In the other decisions the most significant words are, *melius aequius* in the case of arbitration about a wife's property, and in trusts *ut inter bonos bene agier*. Now, I ask you, do not the words *melius aequius* exclude the

possibility of fraud, or do the words *inter bonos bene agier* admit of craft or cunning? If criminal fraud according to Aquilius consists in misrepresentation, falsehood must be banished from commercial transactions. The vendor must not employ a mock-bidder to raise the price, nor the purchaser prejudice the sale by any trick, and when they state their terms they must state them once for all. 62. Q. Scaevola, the son of Publius, asked the exact price of an estate he wanted to buy. The seller told him. Scaevola said he thought it was worth more, and gave him 100,000 sesterces over and above what he asked. Everybody will say that Scaevola acted like an honest man, but that he was just as foolish as if he had sold the property for a lower price than he might have obtained for it. Here again is the mischievous doctrine which makes a distinction between goodness and wisdom. Hence the saying of Ennius: "The wise man is wise to no purpose who can make no profit of his wisdom". That is perfectly true, but unfortunately Ennius and I are not at one on the meaning of the word profit. 63. In the treatise on duty which Hecato of Rhodes, a disciple of Panaetius, dedicated to Q. Tubero, I remember a passage to the effect that "a wise man ought to improve his position without doing anything contrary to morals, laws, or customs. It is not for ourselves alone that we desire to be rich but for our

children, our kinsmen, our friends, and above all for our country. For the wealth of the individual is the wealth of the community." This philosopher would never have approved of the act of Scaevola which I have just mentioned. In fact he confesses that where his own advantage is concerned he will shrink from nothing except what is forbidden by law. Such a man, I think, has no great claim on our respect or gratitude. 64. If, then, criminal fraud consists in misrepresentation and concealment, there are very few actions free from it; and, if by a good man we mean one who helps as many as he can and harms no one, it will certainly be hard to find him. Once more I say it is never expedient to do wrong because it is at all times base, but it is always expedient to be good because it is always honourable.

XVI.—65. In the law of real property our code ordains that the seller shall declare all the defects known to him. Whereas according to the Twelve Tables it sufficed to make good such defects as were expressly declared, and any one who did not own these defects, when questioned by the purchaser, incurred a double penalty, our judges have gone a step further and attached a penalty to the suppression of facts; they hold the seller responsible for any defect in the estate known to him but not expressly stated. 66. For instance, the augurs having to take the auspices on

the Capitol commanded Ti. Claudius Centumalus who had a house on the Caelian hill to pull down the parts of the building which were so high as to interfere with their observations. Claudius put the tenement up for sale and it was bought by P. Calpurnius Lanarius. The augurs served the same notice on the new proprietor. He complied; but having discovered that Claudius had advertised the house after the alterations had been ordered by the augurs he brought an action in equity for specific performance or for damages for breach of contract. M. Cato, the father of Cato our contemporary, pronounced judgment. Other men derive their titles from their fathers; in this case we must distinguish by the name of his son the man who gave to the world so brilliant a luminary. Cato then in the capacity of judge pronounced the following decision: "Since the vendor was aware of the order of the augurs and had not made it known, the loss ought to be made good to the purchaser". 67. Thus he ruled that the vendor was bound in equity to inform the purchaser of any defects of which he had knowledge. If his decision was good law, our corn-dealer and the man who sold the unhealthy house were alike wrong in withholding what they knew. The civil law cannot cover all such cases of suppression, but it is strictly enforced wherever it is applicable. Our relative, M. Marius Gratidianus, had sold back to C. Sergius Orata a house which he

had bought from him a few years before. The house was subject to an easement but Marius had not stated this in the conditions of sale. The case was taken to court. Crassus was counsel for Orata, Antonius for Gratidianus. Crassus laid stress on the law which holds the seller responsible for any defects known to him that he does not declare, Antonius maintained that equity was on his side, and that this burden must have been known to Sergius as he had previously sold the house in question; there was accordingly no reason for its being specified and since the purchaser was quite aware of the burdens to which the property was subject, he had not been deceived. 68. But you may wonder why I quote these cases. My object is to show that our ancestors did not approve of sharp practice.

XVII.—Justice and philosophy alike wage war with craft, but fight with different weapons. The sword of justice strikes where it can reach, but philosophy employs those finer weapons, the reason and the judgment. Now reason forbids every form of treachery, misrepresentation and deceit. It is surely treacherous to spread a net though you should not beat the covers or drive the game; for even if not pursued, animals will often rush into it of their own accord. Would you then advertise a house and put up a board as a kind of snare to catch some dupe? 69. I am quite aware that public opinion is so degene-

rate that conduct like that is not commonly accounted wrong and is not forbidden either by statute or by the civil law, still it is banned by the law of nature. I cannot too often repeat what I have said already so often that there exists a society of the widest possible extent embracing the whole human race, another more restricted composed of the people of one nation, and one still narrower formed by the inhabitants of one city. Our forefathers, therefore, established a distinction between the law of nations and the civil law: the civil law is not necessarily identical with the law of nations, but the law of nations is necessarily identical with the civil law. But we do not possess the real and life-like figure of true law and genuine justice; all that we have is the faint outline. Would to Heaven we followed even that, for it is taken from the perfect model presented by nature and truth! 70. How priceless are the words: "May I not be betrayed or beguiled through thee or through thy plighted word"! Here again are words of gold: "Act honestly like honest men without deceit". But what is meant by honest men? What is honesty? That is, I confess, a knotty point. Q. Scaevola, the high pontiff, used to attach the greatest importance to all arbitrations in which the reference was expressly *ex fide bona*. He considered that these words had an extensive application, being employed in cases of wardship, partner-

ships, trusts, commissions, purchases, sales, hiring, letting—in a word, in all the transactions of social life. He added that it required an able judge to decide the respective rights and obligations of the litigants, especially as most of these cases admitted of cross suits. 71. Away then with artifice and the kind of craft that poses as prudence but is utterly remote from it. For prudence has its sphere in the discrimination of what is good and what is bad; craft, on the other hand, if it is true that all that is base is bad, prefers what is bad to what is good. The civil law, which is derived from the natural, not only punishes craft and fraud in regard to real property, but forbids every form of dishonesty in the sale of slaves. The vendor, who is fixed with the knowledge of a slave's health or any disposition he may have to run away or steal, is held responsible for his defects by the law of the aediles. Those who inherit slaves are in a different position. 72. From this it is evident that, as nature is the source of right, it is contrary to nature for any one to take advantage of the stupidity of his neighbour. Indeed there is no greater curse to society than craft which wears the mask of wisdom; in countless cases it is the cause of the apparent conflict between the expedient and the honourable. How few men, if assured of impunity and secrecy, could refrain from doing wrong?

XVIII.—73. With your permission, I will criticise one of those cases in which the mass of men see no particular harm. I am not going to speak at present of assassins, poisoners, will-forgers, thieves or peculators, who must be kept down with chains and confinement, not with mere talk and philosophical argument; but I wish to consider the conduct of those who pass in society for respectable men. A forged will, purporting to be that of the wealthy L. Minucius Basilus, was brought from Greece to Rome. To strengthen their position the forgers made M. Crassus and Q. Hortensius, two of the most influential men of the time, joint-heirs with themselves; the latter had some idea that the will was a forgery, but, being conscious of no guilt in the matter, they were not above taking a *douceur* procured by the villainy of others. I ask you, is this excuse sufficient to justify their conduct? I certainly don't think so, although I was the friend of Hortensius while he lived and am no enemy to Crassus now that he is dead and gone. 74. Basilus in his real will had bequeathed his name and his fortune to his nephew M. Satrius, the protector of Picenum and the Sabine land—what a stigma on our age!—and it was surely not right for men of position to keep the estate and leave to Satrius nothing but the name. If, as I explained in the first book, it is wrong not to prevent injustice

and avert it from our neighbours, what shall we say of the man who, far from repelling, actually abets it? To my mind it is not honourable to accept even a genuine legacy if it has been gained by designing flattery and insincere and hypocritical attentions. Still in such cases the expedient sometimes appears to differ from the honourable. 75. This theory, I say, is false; there is but one standard of expediency and honour, and the man who is not convinced of this is capable of every kind of craft and crime. If he reasons thus: "your plan is honourable, but mine is expedient," he will not scruple to tear asunder things that nature has joined together, and he will fall into a heresy which is the source of every form of cunning, wickedness, and crime.

XIX.—If the honest man had only to snap his fingers in order to slip his name into the wills of rich men he would not abuse his magic power, even if he were certain of escaping suspicion. Why, had you given M. Crassus the chance of foisting his name into a will by sleight of hand although he was not the real heir, I tell you, he would have danced for joy in the forum. But the just man, the man whom we feel to be honest, will never rob another to enrich himself. If you are surprised at this, you must admit that you do not know what an honest man is. 76. You have only to develop an innate idea to make it instantly clear to yourself

that the honest man is one who does all the good he can and harms no one except under provocation. I ask you, then, would a man do no harm who spirited away a true heir and stepped into his place? The objection may be raised: "Is he not then to do what would be advantageous and expedient?" By all means, but he must understand that nothing is expedient or advantageous that is unjust. Without this principle no one can be honest. 77. When I was a boy I often heard my father say that the ex-consul C. Fimbria was judge in the case of M. Lutatius Pinthias, a Roman knight of irreproachable character, who had laid a judicial wager that he would prove he was a good man. Fimbria told him that he would never pronounce judgment in the case because he feared he might ruin the reputation of a man of recognised worth, if he decided against him, or might seem to have admitted the existence of a perfectly good man, when such a character really implied the performance of countless duties and the possession of countless merits. Now this ideally good man of whom even Fimbria, not to mention Socrates, had formed a conception will never consider anything expedient that is not honourable, and, far from doing, he will not dare to think of, anything that he could not publish to the world. What a scandal that philosophers should have their doubts where peasants have none! Is it not to peasants

that we owe the trite old proverb which they employ when they praise a man for his good faith and sterling worth?—"Why, you could safely play at odd and even with him in the dark"; and what is the point of the proverb but this, that nothing is expedient that is not decorous even if the object could be gained with impunity? 78. Don't you see it teaches the lesson that there is no excuse for Gyges, nor for the man to whom I just now fancifully ascribed the power of conjuring into his own net all the legacies in the world? For, as secrecy can never make a base action honourable, so an action in itself dishonourable can never become expedient; it is contrary to all the dictates of nature.

XX.—79. But, it may be said, no wonder people go astray where there are great prizes to gain. After holding the office of praetor Marius had remained in the background for more than seven years and had but faint hopes of attaining the consulate; indeed it looked as if he would never stand for it. About this time he was sent to Rome by Q. Metellus, a great man and a worthy citizen, under whom he served as adjutant. He there accused his general before the people of protracting the war for his own purposes and promised that, if they made him consul, he would in a short time deliver Jugurtha alive or dead into the hands of the Roman people. He succeeded, it is true, in becoming consul, but in discrediting by

a false charge a worthy and respected citizen whose adjutant and envoy he was he swerved from the path of honour and justice. 80. Our kinsman Marius, I mean Gratidianus, was no better. During his praetorship he was guilty of an act unworthy of an honest man. The tribunes of the people had invited the board of praetors to co-operate with them in fixing the standard of the currency by a joint resolution; for at that date the value of money fluctuated so much that no one knew what he was worth. They drew up an edict together determining the penalties and the judicial procedure and arranged to mount the Rostra all together in the afternoon. The others went their several ways, but Marius proceeded straight from the tribunes' benches to the Rostra and there proclaimed alone the edict which they had agreed to proclaim in common. This *ruse* actually procured for him great popularity. In all the streets statues were raised in his honour and incense and tapers were burnt before them. In a word, he became the idol of the multitude. 81. Our moral calculations are sometimes disturbed by circumstances like these in which the offence against justice appears trifling in comparison with the accruing advantage. Thus in the case before us Marius did not think it very wrong to anticipate his colleagues and the tribunes in winning the favour of the people, but he considered it most advantageous to secure by

that means his election to the consulate which was then the object of his ambition. For all cases there is but one rule which I desire to impress on you: an act which is thought expedient must not be wrong; if it is wrong, it must not be thought expedient. I ask you, then, can we pronounce either the one Marius or the other a good man? Sift and search your mind to see what idea and conception of a good man it contains, and then answer this question. Can a good man consistently lie or calumniate, outwit, and deceive others for his own advantage? Assuredly not. 82. Is any object so important, any advantage so desirable, that you would sacrifice for its sake the glorious title of an honest man? What good could you get from your so-called expediency to compensate for the loss you would suffer if it filched from you your good name and robbed you of honour and justice? As well become a beast outright as conceal its ferocity under human guise.

XXI.—What shall we say of those who ignore what is right and honourable if only they acquire power? Are they not on a level with him who actually chose for his father-in-law a man through whose shameless conduct he might strengthen his own position. It seemed to him advantageous to establish his own influence on the discredit of his neighbour. He did not see how dishonourable his conduct was and how unjust to his country.

As for his father-in-law, he was always quoting two Greek verses from the Phoenissae which I shall translate as well as I can. My rendering may be awkward, but it will at least give the sense :—

> "To get a crown, a man would break a trust,
> If break'st at all, everywhere else be just."

How infamous to make a single exception in favour of the greatest of all crimes! 83. Why stop short at trifles such as ill-gotten legacies, and dishonest purchases and sales? Here you have a man who aspired to be king of the Roman people and master of the world and succeeded. If you call such an ambition honourable, you are out of your senses: for you tacitly approve of the extinction of law and liberty and applaud the hideous and accursed crime of trampling them in the dust. If any one admits that it is not honourable to wield the sceptre in a state which once was free and still deserves her freedom, and yet asserts that for the tyrant it is good, what remonstrance, nay, what reproach is strong enough to uproot from his mind so fatal an error? Immortal gods! can the foul and abominable crime of treason to one's country bring good to any one though the traitor be hailed as Father by the citizens whom he has crushed? Honour, I say, is the only standard of expediency; the words are different, the things are the same. 84. To the vulgar mind there is no happier lot than that of a

king; but, when I put the theory to a practical test, I find that the power of a usurper is the greatest possible curse. What advantage is it to be a prey to sorrow and care, to tremble day and night, and to live a life beset with snares and dangers? Accius says: "Many are hostile and faithless to the throne, few are friendly". To what throne? To the rightful heirs of Tantalus and Pelops. As for the tyrant who crushed the Roman people with their own army and enslaved a free republic, the mistress of the world, what shall we say of the number of his enemies? 85. Think of his guilt-stained conscience, his heart torn with remorse! Can life be worth living to a man who holds it on such terms that he who robs him of it is destined to win the greatest gratitude and glory? If this, which seems the greatest advantage in the world, is no advantage at all, because it is attended with dishonour and infamy, you should now be fully convinced that nothing is expedient that is not honourable.

XXII.—86. This principle has been acknowledged on many occasions in our history, but was never so strongly attested as in the war with Pyrrhus by the Roman senate and C. Fabricius who was then in his second consulate. Pyrrhus was the aggressor. We were fighting for the ascendancy with a chivalrous and powerful prince. A deserter came from his camp to that of Fabricius and offered for a reward

to return to the camp of Pyrrhus as secretly as he had come and poison the king. Fabricius ordered him to be taken back to Pyrrhus, and his conduct was applauded by the senate. Now, if we merely look to the appearance, the popular conception of expediency, it would doubtless have been an advantage to be relieved of a difficult war and a formidable adversary through the agency of a single deserter; but what a shame, what a scandal to conquer not by courage but by crime a prince with whom the contest was for glory. 87. Which then was the more expedient course either for Fabricius, the Roman Aristides, or for our senate, which never divorced its interest from its honour, to fight the enemy with the sword or with poison? If glory is our motive in aspiring to empire, let us abstain from crime which is incompatible with glory: but if power is our sole object, purchased at whatever price, it can never be a blessing if coupled with dishonour. There was no advantage, therefore, in the proposal made by L. Philippus, the son of Quintus, that the states which Sulla, in pursuance of a decree of the senate, had freed from taxation on the receipt of an indemnity, should again be made tributary without repayment of the sum they had given for exemption. The senate followed his advice. What a disgrace to our empire! Why, pirates have more honour than the senate. "Yes, but that increased

our revenue; it was, therefore, expedient." How long will people persist in saying that anything is expedient that is not honourable? 88. An empire should be upheld by an honourable name and the loyalty of her allies; how then can she profit by hatred and infamy? On this subject I have often disagreed with my friend Cato. It seemed to me that he was too stubborn a champion of the treasury and the public revenue. He made no concessions to the farmers of the revenue and few to the allies, while I held that we should be generous to the latter and deal with the former as we commonly do with our own tenants, especially as the harmony of the orders was essential to the national welfare. Curio was equally wrong. Though he admitted that the cause of the colonies beyond the Po was just, he always made the reservation, "The public interest must prevail"! He should rather have proved that their cause was not just because it was not advantageous to the republic, than admitted its justice while denying its expediency.

XXIII.—89. The sixth book of Hecato's *Duties* is full of questions of casuistry such as these: "At a time of extreme dearth is it right for a good man not to supply food to his slaves?" He argues both sides of the question and comes to the conclusion that expediency, as he conceives it, rather than human sympathy is the standard of duty. Here is another

problem. "If a ship is out at sea and it is necessary to jettison part of the cargo, should one sacrifice a valuable horse rather than a cheap slave?" In this case self-interest pulls the one way and human feeling the other. "If a fool seizes a plank from a wreck, shall a wise man, if he can, twist it out of his hands?" "No," says Hecato; "it would be unjust." "But what would you say of the shipowner? Is he entitled to seize the plank on the plea that it belongs to him?" "He has no more right to do that than to throw a passenger overboard in deep water because the ship is his. For until she reaches the port for which she is chartered the ship does not belong to the owner but to the passengers." 90. "Suppose a ship is wrecked and there is but one plank for two equally wise people, are they both to seize it or is the one to yield it to the other?" "Of course it must be given up to the one whose life is more valuable to himself or to the community." "What if their lives be equally valuable?" "In that case there must be no contention, the one must yield to the other as if he lost in a game of chance or in playing at odd and even." "If a man should rob a temple, or drive a mine into the public treasury, should his son report him to the magistrates?" "No, that would be a crime; he must even defend his father should he be publicly accused." "Is not the duty we owe to our country paramount to every other?" "Yes, but it is good

for our country herself to have citizens true to their parents." "If a man aspires to tyrannical power and attempts to betray his country, shall his son remain silent?" "No, he must plead with his father, and if he fails, he must rebuke and even threaten him, and finally, if the ruin of his country is imminent, he must prefer her safety to that of his father." 91. Another question. "If a wise man by an oversight takes false money for good and discovers his mistake, is it allowable for him in paying his debts to pass it off as good?" Diogenes says "Yes"; Antipater "No"; I prefer the latter view. "If a man had wine for sale which he knew to be unsound, should he tell his customers?" Diogenes thinks it is not necessary, Antipater mainains that an honest man should. These are, so to speak, the disputed points of law among the Stoics. "In selling a slave ought we to state his defects—I do not mean those defects, the concealment of which would cancel the transaction according to the civil law—but the disposition to lie, gamble, steal or tipple?" Antipater thinks we should, Diogenes we should not. 92. "If a man should sell gold by mistake for brass, should an honest man tell him it is gold, or take for one denarius what is worth a thousand?" It should now be clear to you what are my own views on these problems and wherein the two philosophers I have named differ in theirs.

XXIV.—Are bargains and promises always binding which in the language of the praetors have been made without force or fraud? One man gives another a drug for dropsy, stipulating that if cured, he is never to use the drug again. The patient recovers, but some years after he takes the same trouble and cannot obtain permission from the other to use the drug again. What should he do? As it is unfeeling in his friend to refuse a concession which would cost him nothing, the invalid is justified in looking to his own life and the preservation of his health. 93. A wise man is to be made heir to a fortune of one hundred million sesterces; but the testator requires him before entering upon the inheritance to dance publicly in the forum in broad daylight. Rather than lose the inheritance the wise man has accepted the condition. Is he to keep his promise or not? I wish he had never made it; that, I think, would have been the dignified course. But since he has given his word, if he thinks it degrading to dance in the forum, it will be more honourable for him to break his promise and renounce the inheritance, unless he should happen to devote the money to the relief of his country in some great crisis when his public spirit would excuse even the act of dancing. XXV.—94. No more binding are promises which are not useful even to those to whom they have been made. To draw my illustrations once

more from mythology, Phoebus having promised his son Phaëthon to gratify all his desires, Phaëthon asked leave to mount his father's chariot; his wish was granted, but before the journey ended he was consumed by a thunder-bolt. How much better if his father had not kept his promise. Take again the promise which Theseus exacted from Neptune. The god having given him the choice of three things, Theseus desired the death of his son Hippolytus whom he suspected of incest with his stepmother; his desire was granted and Theseus was plunged in the deepest grief. 95. What shall we say of Agamemnon who vowed to Diana the fairest thing that came into being that year within his realm. There was nothing fairer than Iphigenia and he sacrificed her. He ought rather to have broken his promise than committed so foul a crime. It is our duty therefore in some cases not to fulfil a promise and in others not to restore what has been entrusted to our keeping. If some one in his right mind gave you a sword to keep, and asked it back when mad, it would be a sin to restore and a duty not to restore it. If a man who had deposited a sum of money with you should make war on your country, would you restore his deposit? I should say no; you would be acting against the interests of your country which should be dearer to you than anything in the world. 96. Thus many

actions which appear essentially moral, in certain circumstances completely change their character. To keep a promise, stand to a bargain, return a deposit, are acts which cease to be moral when they lose their expediency. I think I have now said enough about those acts which, under the mask of wisdom, appear to be expedient but are really opposed to justice.

Having in my first book derived all our duties from the four sources of honour, I shall here follow the same order in showing how contrary to virtue are things which have only the semblance of expediency. I have already spoken of prudence and of cunning, its counterfeit, and likewise of justice and its constant attendant, expediency. There remain therefore two sources of honour, the one of which manifests itself in greatness and sublimity of character, and the other in the moulding and governing of the mind by moderation and self-command.

XXVI.—97. To escape from military service it seemed expedient to Ulysses to feign madness. Such at least is the account of the tragic poets. Homer, our best authority, breathes not a word of suspicion against him. His purpose was not honourable, but, it may be said, it was expedient for Ulysses to remain at Ithaca, and to reign there and live a peaceful life with his parents and his

wife and son. What glory, think you, gained in daily toils and dangers can compare with such tranquillity? Tranquillity like that, I tell you, is mean and contemptible; as it is not honourable, it ceases, I think, to be expedient. 98. What would the world have said of Ulysses, if he had persevered in his deceit, when despite his glorious exploits in war, he is thus taunted by Ajax:—

> He that contrived the oath, and made us take it,
> Was th' only man, himself, you know, that brake it
> Playing th' mad, driv'ling fool, under that blind
> To sleep in a whole skin, and stay behind:
> And the bold cheat had past, without all doubt,
> But for sly Palamede that found it out.

99. Believe me, it was better for him to fight with the foe and battle with the billows, as he did, than to desert the Greeks who were banded together as one man to make war on the barbarians. Let us turn from fables and foreign instances to real events in our own history. In his second consulate M. Atilius Regulus was treacherously captured by the forces of the Lacedaemonian Xanthippus who held command under Hamilcar, the father of Hannibal. He was then despatched to our senate and was bound by an oath to return to Carthage unless he procured the exchange of certain Punic prisoners of high rank. When he came to Rome, it was apparently his interest to remain in his own country, to live at home with his wife and children, and to maintain his consular

rank, regarding the reverse he had suffered as the common fortune of war; but, as the event proves, he considered the expediency of such a course illusory. Who denies that these are great advantages? No one, think you? XXVII.—100. Yes, magnanimity and fortitude; surely you do not want more weighty authorities? For it is the peculiar function of these virtues to fear nothing, to scorn all the accidents of fortune, and to think nothing insupportable that can happen to man. What then did he do? He came into the senate, explained the object of his mission, but refused to express his opinion, holding that his rights as a senator were suspended so long as he was bound by the oath sworn to his enemies. More than that—but some one may say, "What a fool to quarrel with his own interests!"—he denied the expediency of restoring the prisoners, a body of gallant young officers in exchange for a decrepit old man. His force of character triumphed, the prisoners were retained, and he returned to Carthage; love of country and love of kin could not hold him. Yet he well knew he was going to meet a cruel enemy and exquisite tortures. But he respected the sanctity of his oath, happier far in the agonies of sleeplessness with which he was tortured to death than if he had grown old at home, a runaway prisoner of war, a perjured consul. 101. "Still he acted like a fool in proposing that the prisoners should not be restored and actually dissuad-

ing his countrymen from restoring them." In what sense like a fool if his policy was advantageous to his country? Can that which is disadvantageous to the state be profitable to any citizen? XXVIII.—To sever expediency from honour is to overthrow the foundations of nature. We all strive after self-interest and are hurried towards it by an irresistible impulse. Is there any one who flees from his own interest, or rather does not pursue it with the greatest ardour? But as we can find it only in what is praiseworthy, decorous, and honourable, we consider these qualities the first and highest blessings, and expediency not so much an ornament as a necessary principle of life. 102. It may be said, "After all, what is there in an oath? Do we really fear the wrath of Jove? No, all schools of philosophy, whether they maintain that God does nothing and troubles no one, or that He is ever working and toiling, agree in the opinion that He is never angry and harms no one. Besides, what greater evil could the wrath of Jove have inflicted on Regulus than he brought upon himself? The fear of the gods, then, had not the power to annul so great an advantage. Or did he fear to act basely? In the first place, "of two evils we should choose the least". Surely there is not so much evil in the baseness you speak of as in the tortures he had to endure. Well might he have used the words of Accius: 'Hast thou broken thy word? To a faithless man I neither

have given nor do give it'—a noble sentiment though uttered by an accursed tyrant." 103. These critics further say that as we maintain that some things seem expedient which are not, so they maintain that some things seem honourable which are not: "for example, this very act of giving oneself up to certain torture in order to keep an oath is apparently honourable but is really not honourable, because an oath extorted by an enemy was not binding". They add that whatever is highly expedient thereby becomes honourable, even though it did not seem honourable before. These are substantially the arguments against Regulus. Let us examine them in detail.

XXIX.—104. "There was nothing to fear from Jupiter. He is wont neither to be wroth nor to do harm." This argument is just as valid against any oath as against that of Regulus; and in the case of an oath we should think of its significance rather than its terrors. An oath is in fact a solemn affirmation: now what we positively promise, as if taking Heaven to witness, that we must keep. If that is true, the question does not concern the wrath of the gods (for there is no such thing), but the obligations of justice and honour. You may remember the noble words of Ennius:—

> O holy Faith! the tie o' th' gods;
> And fit to have thy mansion in their blest abodes.

He who violates his oath, violates the goddess of

Honour to whom, as we learn from a speech of Cato's, our ancestors assigned a place on the Capitol near Jove, the Best, the Greatest. 105. "Besides, even the wrath of Jove could not have done greater harm to Regulus than he brought upon himself." Quite so, if pain were the only evil. But philosophers of the highest authority assert, that, far from being the greatest evil, it is no evil at all. In support of their doctrine we have in Regulus no mean witness, nay, I take it, a witness of great weight, whose testimony I pray you not to challenge. Can we desire a stronger witness than an eminent Roman, who, to be true to his duty, voluntarily submitted to torture? As to the argument, "the least of evils," in other words, dishonour before misfortune, I ask you, is there any greater evil than dishonour? If we are shocked by bodily deformity, what must we think of the hideous deformity of a depraved mind? 106. Our more rigorous moralists, therefore, go so far as to assert that dishonour is the only evil; while the more indulgent do not shrink from calling it the greatest evil of all. As to the sentiment, "I have neither given, nor do I give, my faith to a faithless man," it was properly expressed by the poet because he had to accommodate his language to the character of Atreus. But if our friends assume that a promise pledged to the faithless is null and void, I am afraid they are merely seeking to screen their own perjury.

107. Even war has its laws and it is often our duty to keep an oath sworn to an enemy. An oath is binding if in taking it we fully realise and admit our responsibility; otherwise, it is no perjury to break it. Thus you could refuse a pirate the price fixed for your ransom. Here it would be no crime even to break an oath. A pirate is not recognised as a public enemy, he is the common foe of all men. With him we can have no promises, no oaths that are mutually binding. 108. Perjury does not consist in swearing falsely but in not fulfilling what you have sworn *upon soul and conscience*, as our formula expresses it. Euripides has cleverly said: "I swore with my tongue, not with my heart". Regulus had no right to violate by perjury an agreement concluded in time of war with a regular and accredited ememy. With such an enemy we have in common the whole fetial law and many mutual obligations. Were it not so, the senate would never have given up to the enemy in chains so many distinguished men. XXX.— 109. T. Veturius and P. Postumius in their second consulate were delivered up to the Samnites, because after the reverse at Caudium they had suffered our legions to pass under the yoke and had concluded peace without the authority of the people and the senate. In order to annul the treaty with the Samnites we surrendered at the same time Ti. Numicius and Q. Maelius, the tribunes of the people,

by whose advice peace had been concluded; and the resolution was actually proposed and advocated by Postumius who was himself to be surrendered. Many years later his example was followed by C. Mancinus who had made a treaty with the Numantines without warrant from the senate. With a view to his own surrender he spoke in favour of the bill which L. Furius and Sextus Atilius submitted to the people in pursuance of a decree of the senate: the bill was passed and he was given up to the enemy. Macinus acted more honourably than Q. Pompeius who in similar circumstances procured by his entreaties the rejection of the law. In his case apparent expediency triumphed over honour, in the others honour eclipsed the false show of expediency.

110. "But an oath extorted by force should not have been fulfilled." As if a man of courage could be forced. "Why, then, did he come to the senate, especially as he intended to oppose the restitution of the prisoners?" That is to make a fault of his chief merit. Not content with forming a decision in his own mind, he pressed it on the senate: which, but for his powerful influence, would doubtless have restored the prisoners to the Carthaginians; and Regulus would then have remained in safety in his native land. But, as such a course did not seem advantageous to his country, he believed that honour required him to declare his conviction

and go to meet his fate. As to their assertion, that what is highly expedient thereby becomes honourable, they should rather have said, it is, not becomes, honourable. For nothing is expedient that is not at the same time honourable, nor honourable because it is expedient; it is expedient because it is honourable. Among all the instances of heroism with which our history abounds it would be difficult to point to one more remarkable or more worthy of praise than the conduct of Regulus.

XXXI.—111. Of all his claims to glory, that which alone commands our admiration is his voting for the detention of the prisoners. It seems remarkable to us now that he returned to Carthage; in those days he could not have done otherwise. The credit therefore belongs to the age and not to the man. For our forefathers regarded an oath as the strictest possible obligation. We have proof of this in the laws of the Twelve Tables, in the "sacred" laws, in treaties which oblige us to act honourably even towards an enemy, and in the investigations and awards of the censors who were never so scrupulous as when they gave judgment concerning an oath. 112. M. Pomponius, a tribune of the people, impeached the dictator L. Manlius, the son of Aulus, for having exceeded his term of office by several days, and further charged him with banishing from society his son Titus, afterwards surnamed Torquatus,

and ordering him to live in the country. When the young lad heard that his father was in trouble, he hurried to Rome, we are told, and went at daybreak to the house of Pomponius. His visit was announced, and the tribune, supposing that he had come in anger with some fresh charge against his father, rose from his bed and admitted the youth to a private interview. The moment he entered he drew his sword and swore that he would kill the tribune on the spot if he did not promise on his word of honour not to accuse his father. Pomponius in terror gave his oath: he then reported the matter to the people, explained to them why he was compelled to drop the prosecution, and left Manlius unmolested. Such was the power of an oath in those days. This is the same T. Manlius who, challenged by a Gaul on the banks of the Anio, slew his enemy, stripped him of his collar, and thus gained his surname. In his third consulate he completely routed the Latins at Veseris. He was truly a great man, and he showed himself as inexorable to his son as he had been indulgent to his father.

XXXII.—113. If we are to praise Regulus for fulfilling his oath, we must for the same reason condemn the ten Romans who were sent by Hannibal after the battle of Cannae to negotiate with the senate an exchange of prisoners, if they really broke the oath they had taken to return in case

of failure to the camp held by the Carthaginians. Historians, however, are not agreed as to the facts. Polybius, a high authority, tells us that nine of the ten noble envoys came back unsuccessful, and that only one remained at Rome. This man satisfied his conscience by returning to the camp just after leaving it, on the plea that he had forgotten something. He was wrong; deceit aggravates, does not undo perjury. This was only a foolish trick, a perverse imitation of prudence. The senate therefore decreed that the cunning rogue should be taken in chains to Hannibal. 114. The most important point was this: the eight thousand prisoners in the hands of Hannibal had not been taken in battle nor had they fled in fear of death but had been left in the camp by the consuls Paulus and Varro. The senate, however, refused to ransom them, though it could have been done at small expense; they wished to impress on our soldiers that they must conquer or die. Polybius adds that Hannibal's courage failed when he heard the tidings and saw that even amid disaster the Roman senate and people showed so lofty a spirit. Thus does honour triumph in the conflict with seeming expediency. 115. C. Acilius on the other hand, who wrote a history of Rome in Greek, affirms that not one but several of the prisoners returned to the camp to release themselves from their oath by

the same dishonest means and that they were branded by the censors with every mark of shame. But enough on this point. It is clear that mean and cowardly actions, such as that of Regulus would have been, if in dealing with the prisoners he had put his own interest before that of his country or preferred to remain at home, it is clear, I say, that actions that betoken a crushed and craven spirit are not expedient because they are criminal, shameful, dishonourable.

XXXIII.—116. I have still to deal with my fourth division, which comprises decorum, moderation, self-control, sobriety and temperance. Surely nothing can be expedient that is opposed to this galaxy of virtues? Yet the disciples of Aristippus who are known as the Cyrenaics and the philosophers whom we call Annicerians find in pleasure the only good and maintain that virtue is praiseworthy only because it is productive of pleasure. These philosophers are now neglected, but Epicurus, the founder and champion of a similar system, is still a living force. Against such enemies we must fight with "horse and foot," as the saying is, if we are determined to defend and maintain the honourable. 117. For if Metrodorus is right in asserting that all our interests and all our happiness may be reduced to the possession of a sound constitution and the certainty of keeping it, this sovereign expediency, as they consider it, will

assuredly be opposed to honour. Now, I ask you first, what place can prudence have in his system? Will she have to hunt for sweet things on every side? A sorry plight indeed for virtue to be the slave of pleasure! What then is to be the function of prudence? The judicious choice of pleasures? Grant that there is nothing so delightful, can we imagine anything more degrading? Again in a system which looks upon pain as the greatest evil, what room will there be for fortitude, which is but another name for indifference to pain and hardship? For though Epicurus in many passages actually speaks out rather bravely on the subject of pain, we should not think of what he says but of what it is consistent for him to say after making pleasure the greatest good, and pain the greatest evil. It would be interesting to hear him on self-command and temperance; he has indeed many scattered remarks on the subject, but, as the proverb has it, "they don't hold water". What right has he to praise temperance when he finds the highest good in pleasure? For temperance is the enemy of the passions, and the passions are hounds upon the track of pleasure. 118. With these three virtues they manage to shuffle with considerable skill. They represent prudence as the science of providing pleasure and keeping away pain. Fortitude they despatch in a summary way, saying it is the means of despising death and enduring pain. With

temperance they have their own troubles, but they get out of the difficulty by saying there is no higher pleasure than exemption from pain. As for justice and all the social virtues, they totter or rather lie prostrate. Kindness, liberality, courtesy, even friendship, disappear if not cultivated for their own sake, but tried by the standard of pleasure or utility. Let us sum up in a few words. 119. As I have shown that expediency is worthless if opposed to honour, so I maintain that pleasure and honour are incompatible. I therefore think that Callipho and Dinomachus deserve the greater censure for supposing they could settle the controversy by coupling pleasure with honour. As well couple man and beast. Honour will not suffer such a union, she spurns and rejects it. The sovereign good, which must be simple, cannot be compounded of contradictory qualities. 120. But the question is a large one and I have discussed it at length in another place. To return to my subject, I have already shown pretty fully the means of settling possible conflicts between false expediency and honour. If it is asserted that even pleasure has some colour of expediency, I reply that it can have nothing in common with honour. If we must make some concession to pleasure, I will admit that it is perhaps a sort of seasoning to life but never that it has any real expediency.

121. The gift I now send you, dear Marcus, is,

in my opinion, a valuable one; for you its worth will depend on the spirit in which you receive it. You will at least admit these three books as guests among the notes of Cratippus. Had I not been recalled in unmistakable tones by my country when on my way to Athens, you would sometimes have heard me as well as your master. I would therefore ask you to give all the time you can to these volumes which like a messenger convey my words to you; your time is in your own hands. If I find you take pleasure in this branch of knowledge, I shall speak to you of it soon, I hope, in person; till then, in writing. Farewell, my dear son; be assured of my love: but I will love you still more if you take delight in these lessons and precepts.

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CONTENTS

	PAGE
General Literature,	2-22
Ancient Cities,	22
Antiquary's Books,	22
Arden Shakespeare	23
Beginner's Books,	23
Business Books,	23
Byzantine Texts,	24
Churchman's Bible,	24
Churchman's Library,	24
Classical Translations,	24
Classics of Art,	24
Commercial Series,	25
Connoisseur's Library,	25
Illustrated Pocket Library of Plain and Coloured Books,	25
Junior Examination Series,	26
Junior School-Books,	27
Leaders of Religion,	27
Library of Devotion,	27
Little Books on Art,	28
Little Galleries,	28
Little Guides,	28
Little Library,	29
Little Quarto Shakespeare,	30
Miniature Library,	30
Oxford Biographies,	30
School Examination Series,	31
School Histories,	31
Simplified French Texts,	31
Standard Library,	31
Textbooks of Science,	32
Textbooks of Technology,	32
Handbooks of Theology,	32
Westminster Commentaries,	32
Fiction,	33-39
Books for Boys and Girls,	39
Novels of Alexandre Dumas,	39
Methuen's Sixpenny Books,	39

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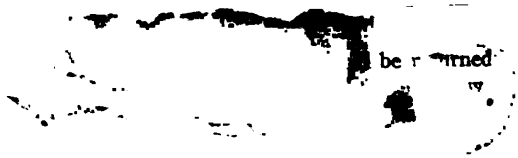
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